

1           SOUTHCENTRAL  
2           FEDERAL SUBSISTENCE REGIONAL  
3           ADVISORY COUNCIL

4           Taken at:  
5           Hawthorn Suites Hotel  
6           Anchorage, Alaska

7           October 3, 2001

8           ATTENDANCE

9           Council Members Present:

10          Ralph Lohse, Chair  
11          Fred Elvsass  
12          Roy S. Ewan  
13          Fred John  
14          Clare Swan

15          Coordinator:

16          Ann Wilkinson

17          Others Present:

18          Tom Boyd, US FWS; Tim Jennings, US FWS; Carl  
19          Jack, BIA/US FWS; Pat Petrivelli, US FWS;  
20          Bill Knauer, US FWS; Richard Uberuaga, US  
21          FWS; Pete Probasco, US FWS; Ida Hildebrand,  
22          BIA; Helga Eakon, OSM; Michelle Chivers,  
23          OSM; Eric Veach, Wrangell-St. Elias National  
24          Park; Larry Buklis, OSM; Ken Holbrook,  
25          Chugach National Forest; Lonita M. Lohse,  
26          Chitina Native Corporation; Dave Nelson,  
27          NPS; Sandy Rabinowitch, NPS; Charles  
28          Swanton, ADF&G; Larry Boyle, ADF&G; Janet  
29          Cohen, NPS; Devi Sharp, NPS; Mason Reid,  
30          NPS; Chris Dippel, US FWS; Connie Friend,  
31          Tetlin NWR; Arvid Hogstrom, WRST; Gloria  
32          Stickwan, CRNA; Betty Goodlataw, Tazlina;  
33          Sue Aspelund, CDFU; Molly McCormick,  
34          Wrangell-St. Elias National Park; Sandy  
35          Scotton, NPS; Rob Spangler, USFS; Lin  
36          Perry-Plake, ADF&G; Jane Nicholas, Cantwell;  
37          Bruce Cain, Native Village of Eyak; Michael  
38          Link, LGL; Dan LaPlant, OSM; Jim Hall, Kenai  
39          NWR; Doug McBride, OSM; Ray Neeley, Ahtna;  
40          Milo Burcham, USFS; Bob Gerhard, NPS; Mary

1   McBurney, NPS; Rod Simmons, FWS; Sherry  
Wright, ADF&G; Wilson Justin, Mt. Sanford  
2   Tribal Consortium; Joseph Hart, Ahtna; Gary  
Sonnevil, US FWS; Sabrina Fernandez,  
3   Attorney General's Office; Barry Mayala,  
USDA; Martin Myers, USFS; Thomas Hicks,  
4   Chistochina; Greg Bos, FWS; Linda Tyone,  
CRNA; Virginia Gene, CRNA; Donald Mike, OSM;  
5   Judy Gottlieb, NPS; Tim Joyce, USFS; Bob  
Hench, Eyak; Ken Thompson, USFS; Taylor  
6   Brelsford, BLM; Bill Simeone, ADF&G; Richard  
Davis, OSM; Robert Lohse, Lower Tonsina;  
7   Gary Stervig, Chickaloon Village; Jeffrey  
Bryden, USFS; Jeff Denton, BLM; Hollis  
8   Twitchell, Denali National Park; Steve  
Klein, FWS; Jessica Cochran, APRN; Jeff  
9   Denton, BLM; Matt Evenson, ADF&G; Jerry  
Berg, US FWS; Patty Brown-Schwalenberg,  
10   Chugach Regional Resources Commission; Pete  
DiMatteo, US FWS; Delice Calcote, Cook Inlet  
11   Marine Mammal Council; Beth Haley, LGL; Fred  
Bahr; Charlie Edwardsen.

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

PROCEEDINGS

MR. LOHSE: Good morning. Come up close. Good morning.

SPEAKERS: Good morning.

MR. LOHSE: Now, class has started so you've got to be quiet. Not bad for a bunch of adults. If you were teachers, it wouldn't work. We'll call the Southcentral Fall Regional Advisory Council for the fall back in session. We're missing one of our members, but we do have a quorum.

We're going to hear from reports -- the agency reports. We've got a volunteer to present one of their agency reports. One of them is here. We'll ask Hollis to present his agency report right now. If that's all right with you. Hollis?

MR. TWITCHELL: Good morning. I'm Hollis Twitchell with Denali National Park and Preserve. Thank you for letting me go early this morning. I have just several items to bring before you, only one of them requires any action or -- on our SRC's behalf requests an action on your part. The others are just informational.

The first one is covered in the first page of the handout that I gave you, and it deals with a hunting plan proposal that the Denali Subsistence Resource Commission advanced at their last meeting, which was held in April, 2001.

And the -- I was hoping that Gilbert would be here with you today since he also serves on the Denali Subsistence Resource Commission, but since he's not here I'll go ahead and go through this recommendation for you, and the thoughts of the SRC, as I recall.

They're going through the consultation process that's required for a hunting plan proposal in which we go out to the advisory groups to the Fish & Game Local Advisory Committees, and also to the public at large to get their opinions.

1           The proposed recommendation from  
2 the Commission recommends that a minimum  
3 residency requirement of three years be  
4 established for individuals moving into the  
5 Cantwell residence zone. The residency  
6 requirement would have to be met prior to  
7 gaining eligibility to hunt in Denali  
8 National Park. The recommendation would  
9 permit individuals who temporarily leave the  
10 Cantwell community either for the military  
11 or school services to regain their  
12 eligibility and residence if they move back  
13 into the Cantwell residence zone.

          The Commission only advanced this  
8 request for the Cantwell residence zone  
9 because of some relatively significant  
10 changes that have occurred in that  
11 particular community over time. And  
12 probably the first involves the gradual  
13 growth in the community itself. The 1980  
14 census for Cantwell was 89 individuals.  
15 That was followed by the 1990 census which  
16 put the population at 145 individuals. And  
17 last year's 2000 census puts the population  
18 at 222.

          So, in the last 20 years, there's  
14 been over a doubling of the population in  
15 the Cantwell community.

          The discussion session below  
16 identifies some other concerns that have  
17 been raised by the Commission. First of all  
18 was a recognition that people are moving  
19 into the Cantwell community at a lot greater  
20 rate and staying for a shorter time and  
21 there tends to be a transient nature of some  
22 of the new arrivals into the community, and  
23 they're concerned about individuals who move  
24 in and upon declaring Cantwell their  
25 permanent residence immediately gain  
subsistence eligibility onto the parklands  
in the Cantwell area.

          Again, they talk about over the  
22 20 years that there's been over a doubling  
23 of the population and this growth in terms  
24 of the transient nature of a lot of the  
25 newer arrivals, and they're concerned about  
the effects that has on the local resources  
in the area as well as the long-term users  
who have used the area.

          The Commission believes that it

1 takes more than just a year or two to really  
2 learn the traditional uses of the area for  
3 Cantwell. Probably most notably is the  
4 traditional trapping zones and areas that  
5 are used by families or households over time  
6 where a lot of the new arriving people  
7 really don't have the opportunity to learn  
8 and understand just where those traditional  
9 uses occurred and by who. It's also been  
10 manifested in some of the hunting pressures  
11 in the area.

12 Unit 13(e) has had about an  
13 eight- to nine-year decline in moose  
14 populations in that area and also declining  
15 caribou population with the Nelchina herd,  
16 and the parklands associated with the  
17 Cantwell area has become more and more  
18 significant as a use area as Cantwell people  
19 have had to depend to a larger extent on  
20 those parklands as populations have  
21 diminished elsewhere in neighboring states  
22 and Native land areas.

23 Again, the SRC only is proposing  
24 this for the community of Cantwell. Our  
25 other resident-zoned communities are stable  
and in one case the community is actually  
declining in number, Telida Village.

So this proposal is out for  
public comment and they would request your  
consideration on this.

If you have any questions, I'll  
answer it before I move on to the other  
items.

MR. LOHSE: Hollis, do they have  
any feeling at all that that -- that most of  
the more transient people move in three  
years so that -- I mean, was there a reason  
they picked three years? Do a lot of people  
come and go in a shorter than three-year  
time period?

MR. TWITCHELL: I don't have  
those figures or numbers, but there is a  
sense that those people that move in, it  
takes more than just a year or two for them  
to really understand what the local use  
areas are, what families and households are  
dependent on certain areas. So, there's  
been a fairly rapid influx of people into

1 areas that local people have significantly  
2 depended on.

3 The actual duration of what most  
4 of the people are, I don't have those  
5 numbers.

6 MR. LOHSE: I notice that they  
7 only ask for Cantwell. Is Cantwell -- I  
8 mean, is there any -- any kind of either  
9 government or oil or something like that  
10 going on in that area that brings people in  
11 so that -- that don't have a tendency to  
12 stay for three years?

13 MR. TWITCHELL: Well, most of the  
14 opportunities there are associated along the  
15 road corridor, either the railroad or the  
16 Parks Highway or associations with the park  
17 itself in terms of recreational development,  
18 RVs, campgrounds facilities, that sort of  
19 thing.

20 MR. LOHSE: Any other questions  
21 for Hollis on this?

22 Now, when you say they would like  
23 us to consider this, is that considered at  
24 this meeting or is this something to be  
25 brought on our agenda in the future or --

MR. TWITCHELL: Well, they had  
requested that this response or any comments  
be advanced to them by their next meeting in  
February, by the end of February. So, they  
want to revisit this in their meeting which  
will probably occur in that first week of  
March and respond to public comments.

MR. LOHSE: Okay. So, we would  
almost have to take action on it now, new  
business or something like that in order to  
be able to comment on it?

MR. TWITCHELL: I suppose if it  
was in terms of a formal action by the  
Council, it would. Otherwise, individual  
responses or any level of comment would be  
desired.

MR. LOHSE: Okay. So, we could  
respond to it also as individual Council

1 members?

2 MR. TWITCHELL: That's correct.

3 MR. LOHSE: Any questions or  
4 comments from the rest of the Council?

5 MR. ELVSASS: Yeah. I kind of  
6 have to agree with this. I don't know if it  
7 can really be done in this fashion, if you  
8 can put a term limit on eligibility, but  
9 this is happening all over the state. Some  
10 areas more than others. The Kenai Peninsula  
11 just suffered a setback on rural  
12 determination because of this influx of  
13 people and a lot of them are transient  
14 people associated with the oil and so forth.

15 Do you think if this was adopted  
16 that people that are eligible right now  
17 would be dropped out of the program then?  
18 Would not be eligible to hunt?

19 MR. TWITCHELL: No --

20 MR. ELVSASS: An amount of them,  
21 I mean?

22 MR. TWITCHELL: Anyone who lives  
23 there would continue to have their  
24 eligibility. It would only apply to new  
25 residents moving into the Cantwell residence  
zone.

MR. ELVSASS: I was thinking of  
somebody that came in last year, where would  
they fit? Would they be grandfathered in  
or --

MR. TWITCHELL: That's my  
understanding that they would be.

The process that would happen on  
this proposal since this hunting plan  
proposal, if it ultimately gets advanced to  
the Secretary of Interior for consideration.  
If the Secretary concurs with it, then he  
will direct or she would direct the National  
Parks Service to pass a regulation -- Park  
Service-specific regulation that would  
establish that. That would have to go  
through the Public Federal Register process.

1 So, it would take almost a year before this  
2 would be implemented, at the least.

3 MR. ELVSASS: At the earliest?

4 MR. TWITCHELL: Yes.

5 MR. ELVSASS: Thank you.

6 MS. SWAN: Mr. Chairman?

7 MR. LOHSE: Yes.

8 MS. SWAN: Is there -- what is  
9 the Cantwell residence zone? Is there an  
10 established zone? What is that?

11 MR. TWITCHELL: Yes, there is  
12 one. The park areas that have communities  
13 adjacent to their units who have a  
14 significant concentration of people who are  
15 dependent on and use the park resources are  
16 identified as resident zoned communities.  
17 Cantwell is one of those for Denali. That  
18 was identified early on in 1981 as the  
19 resident zone for Denali.

20 There is a boundary associated  
21 with that, three-mile radius from the Post  
22 Office which takes in all the community --  
23 resident community areas of Cantwell, so  
24 it's anyone who lives within this geographic  
25 three-mile radius from Cantwell, anyone who  
26 resides in that area are eligible by virtue  
27 of their permit residency in the community.

28 MS. SWAN: Thank you.

29 MR. LOHSE: Do we wish to comment  
30 on this now or take this up under new  
31 business?

32 MR. ELVSASS: I think that's the  
33 right place.

34 MR. LOHSE: New business?

35 MR. TWITCHELL: This was advanced  
36 by two members of our Commission. We have  
37 two members from Cantwell, Gilbert Dimenti  
38 and Vernon Carlson. It's their concerns

1 that it be advanced to the Commission body  
2 as a whole and the rest of the Commission  
3 voted unanimously to advance that only for  
4 Cantwell. They did not feel it was  
5 necessary for any other resident zone in  
6 Denali.

7 MR. LOHSE: I was just wondering,  
8 with Fred, if something like this could even  
9 be done because I thought we had kind of --  
10 that the argument of residency time and  
11 stuff like that had already been argued at  
12 one time, but you feel that this would be a  
13 possibility?

14 MR. TWITCHELL: It would be. It  
15 would need to be done through NPS-specific  
16 regulations. That would be the process that  
17 it would need to be advanced in rather than  
18 the Federal Subsistence Program, Federal  
19 Subsistence Board. It would be an  
20 agency-specific regulation.

21 MR. LOHSE: Okay.  
22 Thank you, Hollis, on that one.  
23 Fred?

24 MR. ELVSASS: How is the support  
25 for this up there? Is it pretty universal  
for this? Are people in the area supportive  
of this, or is it just a commission or --  
how does it look? Say, for instance, if you  
had a vote today for or against this idea,  
how do you think it would go?

MR. TWITCHELL: I think it would  
be fairly well supported by the community of  
Cantwell. They've experienced a dramatic  
increase of pressure on resources along that  
road corridor system.

Denali Highway going across from  
Cantwell to Paxson and Broad Pass are very  
popular areas for other residents who come  
in and hunt. As a result, Cantwell people  
who very often hunt as much on State and  
private lands adjacent to the park have had  
to shift their use more and more to the park  
areas as the competition for resources have  
become very intense on the neighboring lands  
which they've depended on as well.

1           And so as that use has increased  
2 in the Denali area and they see many new  
3 people arriving and hunting in a fairly  
4 limited geographic area within Denali. It's  
5 raised a lot of concerns to the point where  
6 the park has been receiving a lot of  
7 complaints from subsistence users themselves  
8 which -- which is unusual.

9           We usually don't get too many  
10 comments for the Park Service to have a  
11 bigger presence down in the area, but in the  
12 last several years that indeed has become  
13 the case.

14           MR. ELVSASS: Okay. Thank you.

15           MR. TWITCHELL: Should I go on  
16 with these other issues and you'll get back  
17 to this?

18           MR. LOHSE: Sure. We'll get back  
19 to this one on new business.

20           MR. TWITCHELL: The next page  
21 does not take any action on your part now.  
22 Last year in the regulatory cycle on an  
23 oversight on my part, I didn't bring this  
24 proposal to the SRC as I described in the  
25 last meeting. It was picked up in our April  
30th meeting. This just represents the  
Commission's opinion regarding that  
customary and traditional use determination  
for Kenai residents up into the Denali  
Preserve area.

26           So, their motion passed, was to  
27 the best of their knowledge. They were not  
28 aware of any customary and traditional uses  
29 up in Denali National Park in the upper  
30 Ahtna drainage by residents of Kenai  
31 Peninsula. They go on to say that if there  
32 was such a use by individuals or families,  
33 it would be more appropriate for them to  
34 apply for an individual customary and  
35 traditional use determination for those  
36 parklands rather than opening up all of  
37 Kenai as a traditional user. That was their  
38 position.

39           MR. LOHSE: Since the Kenai rural  
40 determination, this one here doesn't really

1 apply anymore, does it?

2 MR. TWITCHELL: No, it doesn't.  
It should take no action.

3 On page 3, one of the main  
4 reasons for their April 30th meeting was to  
5 discuss a planning process that the park has  
6 initiated which is called a "Back Country  
7 Management Plan." And this plan looks  
specifically at recreational use, and what  
types of opportunities and what levels of  
uses would be appropriate for the back  
country area of Denali.

8 And the park planner came and  
9 presented it to the Commission. The  
10 Commission had a number of concerns as the  
11 Parks Service looks at recreational use and  
12 increasing recreational use in the area, and  
13 they passed two motions in response to that.

14 And the first one was -- keep in  
15 mind that subsistence management is more or  
16 less guided by a subsistence management plan  
17 itself for the park. We brought it around  
18 to you a couple of years ago. So, right  
19 now, they're talking just about the  
20 recreational use and how that might impact  
21 subsistence. And they want to remind the  
22 park that priority should be given to  
23 traditional subsistence use before  
24 permitting new recreational uses. They urge  
25 the Park Service to look carefully at what  
types of recreational use, what levels of  
use and where it's occurring and to make  
sure there are no impacts to resources or  
subsistence use opportunities.

They remind us that the Alaska  
National Inter-conservation Act should be  
the primary goal and Congress there declared  
that consistent with sound management  
principles and the conservation of healthy  
populations of fish & wildlife the  
utilization of public lands in Alaska is to  
cause the least adverse impact possible on  
rural residents who depend upon subsistence  
uses of their resources of such lands.

They go on to talk specifically  
about an impact occurring locally to the  
Cantwell area in the Windy Creek and Bull  
River area, primarily associated with  
increasing recreational snow machining use

1 and they refer to these particular areas of  
2 Windy Creek and Bull River, which are  
3 drainages right adjacent to Cantwell that  
4 they should be designated primarily for  
5 traditional subsistence use.

6 They recommend that a category be  
7 established which is known as a "natural  
8 area classification" rather than the "back  
9 country area classification," and that would  
10 be to limit recreational use conflicts with  
11 traditional subsistence use.

12 And just as a quick reference,  
13 those two different categories are described  
14 in the draft plan, and the natural area  
15 provides for wilderness recreation with many  
16 opportunities for solitude, motorized access  
17 for subsistence, and other traditional  
18 activities, some airplane landings for  
19 overnight access and an encounter rate of up  
20 to three parties per week. That would be  
21 what they recommend for those traditional  
22 subsistence use areas. And that is compared  
23 to the back country area zone which calls  
24 for opportunities for back country  
25 experiences for a range of users, motorized  
access for subsistence and other traditional  
activities, overnight acts, scenic landings  
for airplanes, and day-use by snow machines  
and an encounter rate of up to ten parties a  
day. They were concerned that this  
encounter rate of up to 10 parties a day for  
trappers in those drainages is not a good  
situation, so they requested that that area  
be limited to no more than three encounters  
at the most by recreational users.

That has come about because about  
three years ago the SRC responded to the  
fact that furbearers in the Cantwell area  
are being displaced by recreational snow  
machining in midwinter, thereby causing the  
local trappers to essentially pull their  
traps in midwinter since the furbearers are  
no longer in that region.

So, that was the two motions  
passed by the Commission regarding that back  
country use.

MR. LOHSE: Is that three  
encounters per day?

1 MR. TWITCHELL: Yes.

2 MR. LOHSE: If I was trapping, if  
3 I had three encounters per season, I would  
4 consider it to be successful.

4 MR. TWITCHELL: That would be  
5 a -- this back country plan is out for  
6 public review and comment. If you have  
7 concerns about that, I would welcome them.

6 It's pretty amazing the level of  
7 recreational snow machine use going on in  
8 Broad Pass now. It's very amazing.

8 MR. LOHSE: We drove up through  
9 that area last winter. It was on a snowy  
10 spring day -- just to go look, and I  
11 couldn't believe it.

10 MR. TWITCHELL: Well, the SRC has  
11 some really valid concerns about stress on  
12 moose populations that tends to congregate  
13 right up in those drainages in the Alaska  
14 Range because the wind and the lower snow  
15 depths and stressed animals are right on the  
16 edges of where this high snow machine  
17 activity is occurring. They're concerned  
18 about ptarmigan breeding in April where  
19 there's so much snow that people are able to  
20 snow machine into April in 13. In Unit 13,  
21 they were concerned about nesting in that  
22 high alpine zone where all the snow  
23 machining is going on and what impacts might  
24 be associated with it. The obvious thing of  
25 furbearers being displaced out in winter are  
the three big concerns.

19 MR. LOHSE: Now, how big of an  
20 area does that extend from? I know -- we  
21 didn't get into the Park itself last winter,  
22 but we were up in the Paxson/Black Rabbits  
23 area. I mean, it was just snow machines and  
24 every ridge had snow machine tracks on them  
25 as far as we could see.

23 MR. TWITCHELL: It's a new type  
24 of riding. I call it saturation riding  
25 where people go up and do high-marking and  
climbing and they go into basins and  
basically snow machine the whole basin,

1 unlike traveling through an area where  
2 you're just there for a relatively short  
3 period of time. These people are in the  
4 basins for hours. They move from one basin  
5 to another to find fresh snow and as a  
6 result the area just gets saturated with use  
7 as the evolving changing recreational  
8 pattern of snow machining going on in the  
9 high country of the Alaska Range is very  
10 popular for that. People from Fairbanks  
11 coming down; Anchorage coming up, and all  
12 the communities in between.

13 MR. LOHSE: That's what we  
14 noticed. It wasn't like anybody was going  
15 anyplace. They were just seeing how many  
16 tracks they could make.

17 MR. TWITCHELL: Instead of  
18 parties of one or two or three people  
19 passing through the country, group ridings  
20 of 15, 20 or more riders are involved in  
21 these groups. So it's quite changed from  
22 what it was even ten years ago.

23 The next item was just to bring  
24 to your attention that we have a proposal in  
25 to develop a science and learning center at  
Denali. The old Park Hotel, this is the  
last year of operations and that facility  
will be evolved into what we hope to be a  
science and learning center which will be  
focused right there at the entrance of the  
park area, will represent a multiple park,  
representing most of the Arctic parks of  
Bering Land Bridge, Noatak -- and including  
Wrangell's and Denali, and the idea there is  
to not only have this as a science center  
where scientists can come and have an  
opportunity to work and facilities to stay,  
but also an educational aspect, an  
environmental center as well as a science  
center.

26 And the interest there is not  
27 only in biological resources, but also for  
28 social sciences so there will be a  
29 significant focus on traditional-type uses,  
30 traditional knowledge aspects and social  
31 science will be focused there as well.

32 The SRC -- to have a chance to  
33 discuss as a group, Florence Collins, the

1 Chair of the SRC, reviewed the proposal and  
she formulated this particular letter  
2 representing her views towards the science  
center.

3 The rest of the Commission has  
not had an opportunity to review the  
4 proposal. So, just note that this is not a  
motion carried by the full Commission, but  
5 represents the Chair's position towards the  
science center.

6 The Commission will discuss that  
fully at their next meeting.

7 That is all I have for Denali.

8 MR. LOHSE: Hollis, to go back to  
what we were talking about before between  
9 this back country and natural designations,  
how in these areas that have this high  
10 saturation snow machining going on that are  
also areas that are used for subsistence,  
11 how would the park -- how would the park go  
about regulating that kind of snow machine  
12 use? How -- you know, what -- what can be  
done to protect those nesting grounds and  
13 wintering grounds from that kind of  
activity?

14 MR. TWITCHELL: Well, the process  
15 that the plan involves going through is  
these different zones, these different  
16 management zones which would target  
different levels of use in the area. So, if  
17 the plan then identifies that this should be  
a natural use area, traditional uses,  
18 subsistence should be the highest value in  
purposes that we should manage for there.  
19 Then there would be some sort of level of  
people allowed to enter.

20 For instance, there may be --  
I'll just pick a number, 15 people allowed  
21 to go into that particular geographic area  
of recreational users. So, there would be  
22 some sort of entrance program much like you  
would enter the park, rural corridor, and  
23 then after that level of people are  
authorized in, then there wouldn't be any  
24 others.

25 So, it would have to go to some  
sort of management regime like that.

1           MR. LOHSE: But I was thinking  
2 that people that go into those areas aren't  
3 going -- they're not coming through road  
4 corridors or any individual entry place,  
5 they're coming just off the mountains and up  
6 the creeks and up the valleys from all over,  
7 you know, on the snow machines, so that it  
8 would be pretty hard to either issue permits  
9 or entry passes or something like that for  
10 something that has no definitive point.

11           MR. TWITCHELL: It would involve  
12 certainly a lot of public education aspects.  
13 It would also involve a greater presence of  
14 park rangers down there in the wintertime.  
15 There are some key access points. The  
16 pullouts that are positioned along the  
17 rural -- the road, particularly in the Broad  
18 Pass area are the key places where people  
19 with the RVs and the snow machine trailers  
20 pull in and camp and then go out for either  
21 weekends or up to a week at a time up into  
22 the areas.

23           So we would need some sort of  
24 presence of the Park Service having public  
25 contact down there.

26           MR. LOHSE: Thank you.  
27 Any other questions for Hollis?

28           MR. TWITCHELL: Thank you.

29           MR. LOHSE: Just one more  
30 question for you.  
31 Has the Parks Service geologists  
32 instituted any kind of studies on impact on  
33 the ptarmigan or anything like that?

34           MR. TWITCHELL: Not on the  
35 ptarmigan or even the furbearers, most of  
36 our information comes from the local users  
37 themselves, the harvest records and their  
38 own testimony.

39           Moose are periodically surveyed  
40 in that area, trend counts. We've not gone  
41 into any detailed population-type surveys,  
42 but we rely not only on reconnaissance  
43 flights, but also on the State of Alaska  
44 data. The Broad Pass area is one of the  
45 State's trend areas as well. Information on  
46 moose and caribou more or less come from

1 State monitoring of trend areas.

2 MR. LOHSE: One last question.  
3 If I understand correctly, when the Parks  
4 Service restricts motorized access in the  
5 preserve, that applies to recreational users  
6 but does not apply to subsistence users?  
7 Like they have a restriction on four-wheel  
8 or snow machine access, a person going in  
9 for subsistence uses can still go where a  
10 person going in for recreational uses can't;  
11 is that correct?

12 MR. TWITCHELL: That is correct,  
13 for traditional subsistence use. And  
14 Cantwell individuals may -- and other  
15 Commission members made a point saying that  
16 even local Cantwell subsistence users when  
17 they're not out there carrying a rifle, if  
18 they're traveling through that country,  
19 there is a purpose for their travel through  
20 that country, and that is to observe where  
21 the wildlife are, where the tracks are, and  
22 all that information is being processed as  
23 part of their subsistence activities. So  
24 even though they may be traveling through  
25 the area without a rifle or an intent to  
26 harvest, there is a need that traditional  
27 use of going through to learn the resource  
28 and what's happening on it.

29 MR. LOHSE: Even restricted  
30 motorized areas are accessible to  
31 subsistence users for resident-zoned  
32 communities for the purpose of observation,  
33 hunting, trapping, fishing, things like  
34 that?

35 MR. TWITCHELL: That's correct.

36 MR. LOHSE: Thank you.  
37 Any other questions for Hollis?  
38 Maybe we'll go on to our -- back  
39 to our agenda now that we have our full  
40 Council here -- I don't think we need a  
41 break at this time yet; we're all still  
42 going.

43 So, the first thing we're on is  
44 the call for proposals to change Federal  
45 subsistence wildlife and that's basically

1 just an informative thing to tell the  
audience that -- and I'll ask Ann if she can  
2 give me the dates when they have to be in  
for wildlife regulations.

3 I've got my glasses, I could see.  
Okay. Tab F.

4 Federal Subsistence Board is  
accepting proposals to change Federal  
5 subsistence management regulations for the  
harvest of wildlife, not fish, on Federal  
6 public lands in Alaska. This is the first  
step in the development of the regulations  
7 for the July 1, 2002 to June 30, 2003  
regulatory years.

8 What regulations can be proposed?  
Federal subsistence hunting and trapping  
9 seasons, harvest limits, methods and means  
of harvest, customary and traditional use  
10 determination, individuals who live in  
resident zone communities of National Parks  
11 and National Monuments and people who  
already hold a Section 13.44 subsistence use  
12 permit may submit a proposal for an  
individual C & T use determination.

13 How to submit a proposal: Refer  
to the current tan-covered regulations  
14 booklet, "Subsistence Management Regulations  
for the Harvest of Wildlife on Federal  
15 Public Lands"; complete the proposal form  
found on the other side of this page. If  
16 you choose not to use the form, please  
respond to all the questions.

17 You can call and ask for help.  
I'm sure there's nobody in the office of  
18 Subsistence Management that wouldn't be  
willing to help somebody submit a proposal.  
19 Ann?

20 MS. WILKINSON: Also, there are  
some forms on the back table.

21 MR. LOHSE: There are also some  
22 forms on the back table.

23 If you would like the Federal  
Subsistence Regional Advisory Council in  
24 your areas, attend the Council's meeting  
this fall -- that's right now. Arrangements  
25 can be made to have the Regional Council  
review your proposal if you can't attend the  
meeting.

1           Send the completed form by 5:00  
2 p.m. on October 26, 2001, to the Federal  
3 Subsistence Board. So, basically, you have  
4 about 23 days left to get your proposal in  
5 if you wish to change hunting or trapping  
6 regulations for the years 2002-2003.

7           If you have any questions, this  
8 is the easiest way. If you have a problem,  
9 call 800-478-1456. And there are a lot of  
10 helpful people there that will help you  
11 submit a proposal.

12           The proposals can be found to see  
13 how it has to be done on the table back  
14 there, and if anybody has any questions at  
15 this time, they can ask me. Otherwise, call  
16 800-478-1456.

17           No questions, okay.

18           Now we're going on to "Customary  
19 Trade," and you'll find that on Tab G -- the  
20 ADF&G guy is here. We will let him speak  
21 since I asked him to prepare for this  
22 morning. And he's been busily digging up  
23 information that I requested.

24           MR. SWANTON: And now if I can  
25 find it, I'll -- some of this stuff is a  
26 little bit disorganized so I apologize for  
27 that. I'll just give you a brief overview  
28 of what I'm able to come up with as it  
29 relates to Cook Inlet, and then move on to  
30 Copper River, if that's all right.

31           MR. LOHSE: That's fine, Charlie.

32           MR. SWANTON: A lot of this  
33 information is preliminary as it relates to  
34 the 2001 season because we are still  
35 summarizing data and actually in some cases  
36 still collecting data. First and foremost,  
37 within Cook Inlet, the Kenai, the harvests  
38 in terms of the commercial fishery for 2001  
39 were 94,000 kings, 1.8 million sockeyes, and  
40 109,000 coho.

41           The escapements for kings into  
42 the Kenai, the escapement goal of 25,000 to  
43 50,000 was met. The early run is about  
44 12,000 kings in terms of the escape, the  
45 late run was about 18 and a half thousand.

46           The sport harvest was 3,000 for  
47 the early run and 16,000 for the late run.

1 Sockeye harvest averages about  
120,000.

2 So, overall, for the Kenai, the  
3 sockeye, they made the goals, but only after  
4 restrictions. This is the late-run sockeye  
5 to both the commercial and sport. And  
6 typically, the late-run sockeye is the  
7 larger of the two. The early run is not  
8 commercially exploited.

9 Moving over to the Kasilof, the  
10 escapement goal is 300 -- the escapement  
11 goal is 150 to 250,000. Escapements into  
12 the Kasilof were about 300,000, preliminary,  
13 and the average sports harvest in the  
14 Kasilof is about 3,000 sockeye.

15 For the Russian River, both the  
16 early and late-run goals were exceeded and  
17 there were no restrictions to either the --  
18 to the sport fishery, and the average sport  
19 harvest is about 50,000.

20 Generally, for coho in Cook  
21 Inlet, the 2000 run was above average, and  
22 it was strong in 2000.

23 And escapement goals for coho  
24 because of the nature of their life history  
25 and run timing being late were not well  
26 established for Cook Inlet and escapement  
27 goals that we do have are somewhat hit and  
28 miss, I guess.

29 But the management of coho at  
30 Cook Inlet is generally considered to be  
31 conservative.

32 Now, winging it because I can't  
33 seem to find the stuff that I'm primarily --

34 MR. LOHSE: Was this 2001?

35 MR. SWANTON: Most of the data I  
36 gave you was 2001 data. Where the 2001 data  
37 was general, I gave a general gist.

38 MR. LOHSE: From this it seems  
39 like escapement goals were met on all  
40 systems.

41 MR. SWANTON: I think generally,  
42 that is probably a correct general  
43 statement, yeah.

44 Any questions with Cook Inlet?

1 MR. ELVSASS: How was the  
2 Crescent River run this year? Was it up to  
par or did you meet the goals there?

3 MR. SWANTON: Mr. Chairman, Fred,  
4 I -- that was one of the ones that my phone  
was cutting out, so I wasn't able to get the  
5 full detail. So the Crescent, I don't have  
the answer to that one. Sorry.

6 MR. ELVSASS: It seems to me  
7 there was an early surge of fish and it just  
kind of faded out as I recall, and I didn't  
8 know if they met the goals or not.  
Thank you.

9 MR. SWANTON: Mr. Chairman, Fred,  
10 I can certainly get that information for you  
and give it to you before the end of the day  
11 if that would be okay.

12 MR. ELVSASS: Great.

13 MR. SWANTON: Now moving on to  
the Copper River, and I had it all prepared,  
14 but I can't seem to find the paper so I  
won't waste the time and I'll try to wing it  
15 off the top of my head, see how good my mind  
is. Starting on the lower river, the  
16 commercial in 2001 was approximately 40,000  
king salmon, 1.3 million sockeye salmon, and  
approximately 240,000 cohos.

17 I believe for the entire Prince  
William Sound common property in 2001, it  
18 was about 41,000 king salmon; it was about  
2.2 million sockeye salmon; and it was about  
19 440,000 cohos. And for what it's worth,  
about 22 million pinks.

20 The Miles Lake sonar count in  
2001 as of July 31st when the sonar was  
21 removed, was about approximately 833,000 on  
average because we do have adjustments made  
22 to the in-river escapement goal. It's  
approximately 750,000, but that's an  
23 in-river goal, so what that goal does is  
take into account harvest allocations by  
24 district for the Upper Copper District. So  
there's an allocation for the Chitina  
25 Subdistrict. There's an allocation for the  
Glennallen Subdistrict, and approximately,

1 those allocations are about 100 to 150,000  
for the Chitina Subdistrict and  
2 approximately 80,000 for the Glennallen  
Subdistrict.

3 Now, again, recognizing the fact  
that --

4 MR. EWAN: Mr. Chairman?

5 MR. LOHSE: Roy?

6 MR. EWAN: Could you repeat those  
7 figures again?

8 MR. SWANTON: The count when the  
sonar was removed, which was the 31st of  
9 July, the cumulative sockeye count past  
Miles Lake was 833,000 sockeye, and  
10 generally the goal is about 750,000. The  
in-river goal is about 750,000 sockeye.

11 Recognizing that goal fluctuates to some  
extent based on hatchery production for the  
12 Gulkana Hatchery in that program, so it does  
fluctuate a little bit.

13 MR. LOHSE: You want the  
allocation too, right now, the Chit --

14 MR. EWAN: The Chitina  
15 District -- I missed the Glennallen one.

16 MR. SWANTON: If you'd like,  
there's some -- in your booklet in Tab I. I  
17 think it's page 4 or 5.

18 A SPEAKER: 6.

19 MR. SWANTON: Excuse me, 6.  
There's information, and there is a table in  
20 there that gives the allocations by  
district, in terms of the escapement goal,  
21 you can have it sitting in front of you.  
Approximately 100 to 150,000 for the Chitina  
22 Subdistrict and somewhere between -- I think  
it's around 60 to 80,000 for the Glennallen  
23 Subdistrict --

24 MR. EWAN: Say that again.

25 MR. SWANTON: 60 to 80.

1           MR. SWANTON: Once in a while a  
blind pig finds an acorn, huh?

2           Again, the harvest for the 2001  
season for these districts -- the  
3           information is preliminary because of the  
permit process, and so we don't have almost  
4           instantaneous information as it relates to  
the harvest in each one of these districts  
5           because the permits are due back to the  
office and then we have to catalog them and  
6           we do have to do some reservations, and this  
is going to be general information and it's  
7           preliminary at best in terms of the numbers.  
But I think you could probably be safe to  
8           say that within the Chitina Subdistrict  
there will probably be approximately 8,000  
9           permits issued for the Chitina Subdistrict.  
The harvest of sockeye is probably on the  
10          order of probably 100 to 130,000 sockeye,  
and the king salmon harvest is probably in  
11          the order of about 3,000.

12          But, again, those are just based  
on what we've cataloged from past years on  
13          participation and everything else. We don't  
have the 2001 data.

14          The 2000 data was about 100,000  
sockeye for the Chitina Subdistrict, and  
15          about 3,000 king salmon for the Chitina  
Subdistrict. Moving upriver above the  
16          bridge, approximately for 2001, there was  
about 1100 Glennallen Subdistrict permits  
17          issued. The harvest is probably going to be  
somewhere in the range of about 60 to 70,000  
18          sockeye, and probably somewhere in the order  
of about 4- to 5,000 king salmon for 2001,  
19          which is fairly similar to what it was in  
2000. But there is -- I must temper that by  
20          the fact that there has been a shift in  
effort between Chitina Subdistrict and the  
21          Glennallen Subdistrict; and, you know, based  
on what we do know, it could be precipitated  
22          by a number of different factors, some of  
which we've already discussed here in the  
23          past, one being the people that want to get  
away from the crowded conditions at various  
24          points in time at the Chitina Subdistrict.  
The fact that the permit fee, the access  
25          permit fee that is collected for the Chitina  
Subdistrict went from 10 to \$25, and, you  
know, there's a combination of factors and

1 variables that may attribute to being able  
2 to see a shift in effort from Chitina to the  
3 Glennallen Subdistrict, but the average  
4 participation in the Glennallen Subdistrict  
5 is probably on the average of somewhere  
6 between, you know, 950 -- I think I said the  
7 average the last five years is around 1,000  
8 permits, and the harvest has been relatively  
9 stable.

10 Now, moving on to the chinook  
11 salmon escapement which Matt Everson,  
12 yesterday, talked about the program we had  
13 in the past in terms of Cook -- the radio  
14 tagging that the department has conducted  
15 since 1999. Again, the 2001 data is  
16 preliminary in nature, but it's probably  
17 likely that the chinook season, essentially  
18 the entire drainage- wide chinook escapement  
19 in 2001 is very similar to what it was in  
20 2000, somewhere between 28 and 30,000 king  
21 salmon. Those are fish that have actually  
22 escaped all of the known areas of  
23 exploitation of harvest. In other words,  
24 those are fish that actually we can account  
25 for in the spawning tributaries. And as  
part of that program, Tom Togin, flies  
aerial surveys to look at general trends for  
spawning escapements for about 15 tributary  
streams. Unfortunately, because of the  
weather conditions he had to deal with in  
2001, he wasn't able to fly the surveys  
during the peak of surveys which is when you  
would typically find the maximum number of  
fish there. Generally what he did find in  
the aerial surveys is decrease of chinook  
salmon escapement was average.

Essentially, the same thing holds  
with regards to sockeye. The in-river goal  
was exceeded at Miles Lake, and we also have  
an aerial survey program that's conducted by  
sport fish staff up in Glennallen to fly the  
40 or so tributary streams upriver and  
although the data is -- and the survey has  
only been completed for a couple of weeks,  
just a general scan of it compared in the  
past years, it looks like the escapements  
are average to a little bit above average  
compared to the tributaries upstream.

That's all the information I  
have.

1           If you have questions, I'll  
entertain them.

2  
3           MR. LOHSE: Thank you, Charlie.  
4           Basically, it sounds like there wasn't  
5           anything -- escapement, we came up to  
6           average to a little bit above average to  
7           above average escapement.

8           MR. SWANTON: That's probably  
9           correct. I think you can probably state  
10          that both the chinook salmon and the sockeye  
11          runs into the Copper River this year and  
12          last year were probably less than what they  
13          had been in recent time.

14          MR. LOHSE: Any other questions  
15          for Charlie?

16          Then back to the Cook Inlet. I  
17          know that you're not an expert on the Cook  
18          Inlet, but back to the information -- back  
19          to the information that you brought. In  
20          comparison to what we heard yesterday  
21          afternoon by the individual that was  
22          testifying, it sounds like that basically  
23          you've got average to above-average  
24          escapement in most of the Cook Inlet streams  
25          that you were talking about right there too.

26          MR. SWANTON: I probably would  
27          recognize, again, reiterated steeped in  
28          ignorance in regards to this issue, I would  
29          say that's probably a correct assessment of  
30          the information other than the late sockeye  
31          run to the Kenai.

32          MR. LOHSE: The late sockeye run  
33          to the Kenai was low?

34          MR. SWANTON: The escapement  
35          goal, I believe, was met but it had some  
36          restrictions both to the commercial as well  
37          as the sport fisheries.

38          MR. LOHSE: But those  
39          restrictions are called for if it's needed  
40          to meet the escapement goal. Basically what  
41          counts was: Was the escapement goal met?

42          MR. SWANTON: That is correct.

1 Fred -- I didn't see you, Roy.  
2 Go ahead, Roy.

3 MR. EWAN: I'll go back to the  
4 Copper River, you mentioned the number of  
5 permits. I don't know how much you said,  
6 but you mentioned a number. Is that an  
7 increase from previous years? I'd like to  
8 know how much it's increasing over the  
9 years, say, over the last five years.

10 MR. SWANTON: For the Glennallen  
11 Subdistrict and Chitina Subdistrict, both?

12 MR. EWAN: Yeah, you mentioned a  
13 number of permits.

14 MR. SWANTON: Okay. For the --  
15 I'll start with the Chitina Subdistrict  
16 since that's the one that's most downstream,  
17 and I will give you the last five years.  
18 I'll give you -- the last five-year average  
19 for the Chitina Subdistrict, number of  
20 permits issued in total is 8,874; 1996 was  
21 7,195; '97 was 9,086; '98 was 10,001; '99  
22 was 9,943; and 2000 was 8,145.

23 MR. LOHSE: So, basically,  
24 they're pretty close to the average for this  
25 year, but they're down from the peak in the  
Chitina Subdistrict?

MR. SWANTON: Yeah, that is  
correct. The 1998 of 10,000, and 1999 of  
9900 or 10,000 for all intents is the two  
peak years and it seems to be down by  
about -- in 2000, it was down almost 2,000  
permits, and that's what I was referring to  
earlier. It could be attributed to the  
crowded conditions in the Chitina  
Subdistrict. It allowed to move folks up  
into the Glennallen Subdistrict, or it could  
be attributed to the \$15 difference between  
a \$10 fee or \$25 fee for access.

MR. EWAN: May I follow out that?

MR. LOHSE: Right.

MR. EWAN: Do we have information

1 of where these people come from? Fairbanks  
2 or other --

3 MR. SWANTON: I can give you  
4 percentages of the permits that were from  
5 each area.

6 On average, 36 percent were from  
7 the Copper Basin, 27 from Anchorage, 10  
8 percent from Fairbanks, and 11 percent from  
9 the Mat-Su Borough, and 16 percent from  
10 other areas around the state. That's for  
11 the Glennallen Subdistrict, that's a  
12 five-year average.

13 MR. EWAN: Thank you.

14 MR. SWANTON: Now, for the  
15 Chitina Subdistrict, the -- no, excuse me, I  
16 already did that one.

17 Okay. For the Glennallen  
18 Subdistrict, the five-year average, permits  
19 issued is 1,075. That's 1996 to 2000. And  
20 '97 through 2000 average number of permits  
21 that have been issued is about -- it's right  
22 around 1100. And in 2001, it's 950; and  
23 that's a preliminary number.

24 MR. EWAN: 1950 --

25 MR. SWANTON: 950, excuse me.

MR. LOHSE: So, even in the  
Glennallen District there was a drop in the  
number of permits in 2001?

MR. SWANTON: It appears to be  
correct.

MR. EWAN: Mr. Chairman?

MR. LOHSE: Roy?

MR. EWAN: Are these people --  
are they getting the fish pretty much on  
average? Are there some that are not  
getting -- they have a permit but are not  
getting anything significant? You know what  
I mean, they just caught one during the  
whole season?

1 MR. SWANTON: Are you referring  
2 to fishing within the Glennallen  
3 Subdistrict?

3 MR. EWAN: I'm talking about  
4 generally, are they catching fish? Are they  
5 getting fish? They get permits, on average,  
6 are they catching fish?

5 MR. SWANTON: I think if you do  
6 some remedial math in terms of fish that are  
7 harvested and the number of permits that are  
8 issued, I think that, you know, if you  
9 combined both, you know, the Glennallen as  
10 well as the Chitina Subdistrict, that over  
11 the entire areas in both permits, that the  
12 average is probably around 20 fish. I mean,  
13 that's both for Glennallen as well as  
14 Chitina. I mean, if you took essentially  
15 12,000 permits --

11 MR. EWAN: Mr. Chairman, I guess  
12 what I'm getting at, this shouldn't even  
13 count, because they didn't get anything in  
14 my opinion. It might be 100 people that  
15 only got one fish. To me that's not like  
16 getting -- it's like getting none, you know.

15 MR. SWANTON: There's a wide  
16 range. There's people that go down there  
17 and don't -- and catch none. There's a  
18 large number of people that come down and  
19 catch 30. If you were looking at it in  
20 terms of the average, you know, the combined  
21 harvest is probably somewhere around 150 to  
22 170,000 fish for both the Glennallen as well  
23 as the Chitina Subdistricts. If you divide  
24 that by the number of permits that have been  
25 issued on average, you know, for both of  
26 those districts, you're talking about  
27 somewhere in the order of about 15 to 20  
28 fish per permit. There are people that get  
29 zero, but there's also a large number of  
30 people that get what they want. Otherwise,  
31 they would probably be squawking a lot more  
32 severely than they have been.

24 MR. LOHSE: Charlie, I guess one  
25 of the questions that I was hearing in Roy's  
26 question is are there people who get permits

1 and don't fish them? Do you have -- do you  
2 have any idea what percentage of the permits  
aren't even fished?

3 MR. SWANTON: Yes, we do have  
4 that data. Unfortunately, I don't have it  
5 cataloged and sitting in front of me at this  
6 time. I think you will find that may have  
7 been more of the case in previous years in  
8 the Chitina Subdistrict, but once people --  
9 money motivates people, once you pay \$25 for  
10 a permit, by golly, you're probably going to  
11 use it. In the Glennallen Subdistrict, I  
12 don't know -- I would say probably off the  
13 top of my head for the Chitina Subdistrict  
14 that there's probably on the order of maybe  
15 1 to 2 percent of the permits that are  
16 issued. It may be as high as 5 percent that  
17 aren't fished at all. That data is -- we'd  
18 have to go back into the database to get it.  
19 There is a box on our permit within the  
20 Chitina Subdistrict that asks that question:  
21 Did you or did you not fish in 2000, 2001?

22 MR. LOHSE: I was just looking at  
23 the numbers you gave us, and it comes out to  
24 about a 12 average for the Chitina  
25 Subdistrict and about an 80 average for the  
26 Glennallen Subdistrict. So, the average  
27 person in the Glennallen Subdistrict  
28 averaged about 80 fish, and the average  
29 person in the Chitina Subdistrict averaged  
30 about 12 fish.  
31 Fred?

32 MR. ELVSASS: Well, my question  
33 is: Back on Cook Inlet -- excuse me. On  
34 the Kenai, the escapement was met by closure  
35 of the sport and commercial fisheries, and  
36 we were -- heard testimony yesterday that  
37 there's no fish in the Inlet, and I fished  
38 and I know it was very poor here for fishing  
39 in the Inlet. Meeting an escapement goal  
40 didn't mean the run was an average year. It  
41 was by closure the fish got up the river  
42 which is supposed to be done, but there  
43 wasn't a great surplus of fish.

44 So, I didn't want people to think  
45 that there was a lot of fish in Cook Inlet.  
Which brings up the Susitna, how did it fare

1 this year?

2 MR. SWANTON: Fred, I didn't -- I  
3 just picked out the big ones. I didn't get  
4 the Susitna. I can certainly get the  
5 information again shortly for you in terms  
6 of, you know, what the assessed run was,  
7 what the department's feelings were with  
8 regards to that run.

9 MR. ELVSASS: Because I know a  
10 great amount of families within the  
11 commercial fishery in Cook Inlet is on the  
12 Kenai/Kasilof fishery. They target those  
13 two runs primarily, and as a result, other  
14 areas like Susitna, Crescent, McArthur,  
15 they, in turn, suffer for it, but the  
16 testimony yesterday about a poor run in Cook  
17 Inlet was very, very close to being accurate  
18 as to one of the most disastrous commercial  
19 fisheries, and it was just -- there just was  
20 no fish. There was enough for escapement  
21 purposes and very little for commercial.  
22 Thank you.

23 MR. LOHSE: Any other questions  
24 of Charlie?

25 Thank you. Thank you for digging  
that information up on the Cook Inlet for  
us.

MR. SWANTON: It was a pleasure.

MR. LOHSE: You're as bad as I  
am. I've knocked the microphone off twice  
too.

Okay. We're going to go back to  
our agenda. The next -- the next item -- I  
thought I heard somebody. The next item on  
the agenda is "Customary Trade" under Tab G.  
If you can find -- Tab G, page 1, and we're  
going to review the suggested reviews for  
the proposed language. We're going to have  
a little briefing first by Pete on this and  
Carl Jack, I think, is going to take the  
last part on the Tribal consultation. So,  
Pete, we'll let you start things off.

MR. PROBASCO: Thank you,  
Mr. Chairman, and good morning to the

1 Council. As Ralph directed you to, I'd like  
2 you to specifically go to Tab G, and I will  
3 outline the presentation that I will discuss  
4 briefly with you.

5 My purpose here today is to  
6 receive any comments you have on the process  
7 and/or the draft regulatory language from  
8 both the Task Force and the Federal  
9 Subsistence Board to move as we move towards  
10 the rural area. My presentation will cover  
11 four areas, history wide -- the history of  
12 customary trade is before you, discussion of  
13 the proposed regulatory language, which is  
14 in Tab G, schedule of events, time line  
15 working towards a final rule. It's very  
16 important that we spend some time here today  
17 understanding the time frame we'll be  
18 working for through the winter working  
19 toward this final rule. And the importance  
20 of your input as a Regional Council to the  
21 Federal Subsistence Board in developing the  
22 final rule or regulation.

23 We first need to establish what  
24 is meant in regulatory terms when we discuss  
25 customary trade. Please understand that  
26 customary trade pertains -- in the Federal  
27 regulations pertains only to cash sales,  
28 money for subsistence-harvested fish. By  
29 regulation, the act of bartering is treated  
30 separate in Federal regulations and is not  
31 included within the term of customary trade.  
32 Keep that in mind, customary trade is only  
33 dealing with money and under Federal  
34 regulations barter is treated separate.  
35 They're not joined together, okay?

36 So, in this discussion when I  
37 address customary trade, I'm referring only  
38 to cash sales and not the other aspect,  
39 barter of exchanging subsistence-harvested  
40 fish with others. It is also very important  
41 that I emphasize that this draft regulatory  
42 language before you only deals with the cash  
43 sales of fish and not other wildlife  
44 species, only dealing with fish.

45 Current Federal Subsistence  
46 Management regulations specifically address  
47 customary trade and barter. However, the  
48 regulatory language pertaining to customary  
49 trade or the cash sales is not specific  
50 enough to define allowable levels.

1 Important factors are current Federal  
2 regulations in defining customary trade is  
3 that regulations clearly recognize and  
4 allows for the cash sales of  
5 subsistence-harvested fish as long as the  
6 cash transaction does not constitute a  
7 significant commercial enterprise.

8 That's already established in  
9 regulations. Cash sales are allowed for as  
10 long as they do not constitute a significant  
11 commercial enterprise.

12 Unfortunately, the original  
13 drafters of this language did not define the  
14 parameters of what constitutes a significant  
15 commercial enterprise.

16 At times, this has resulted in  
17 uncertainty pertaining to what is  
18 permissible on a subsistence-harvested fish  
19 that is exchanged for cash, further the  
20 current regulations as written are  
21 unenforceable.

22 Retention of the current  
23 regulatory language will invite abuse from  
24 those who wish to use subsistence-harvested  
25 fish for monetary gain to the detriment of  
26 subsistence uses and users. If the limits  
27 of cash exchange are not defined, then by  
28 allowing this exchange to go unchecked could  
29 potentially result in a negative impact on  
30 other subsistence uses and users. This is  
31 why the Federal Subsistence Board  
32 established a customary trade Task Force to  
33 develop draft regulatory language which  
34 clearly defines customary trade as a  
35 subsistence use and specifies appropriate  
36 limitations.

37 A great deal of planning and  
38 thought went into the formation of this Task  
39 Force, and if you would reference your  
40 handout you'll see the members of the Task  
41 Force and your chairman, Mr. Ralph Lohse,  
42 served on this Task Force and played a key  
43 role in helping to develop this regulatory  
44 language that's before us, this draft  
45 regulatory language.

46 And if you also notice that there  
47 is a member from each of the Regional  
48 Councils, ten total, that the Federal  
49 Subsistence Board appointed to this Task  
50 Force and they felt that a very important

1 element of the Task Force is having Council  
members serve on this.

2 The goal of this Task Force was  
3 to develop draft regulatory language that  
4 provides for the long-established practices  
5 of customary trade. It's consistent with  
6 the definition of subsistence uses in  
7 Section 803 of ANILCA and defines the limits  
8 to these cash sales. The customary trade  
9 Task Force has met on three different  
10 occasions. The last meeting being August  
11 1st and 2nd when the draft regulatory  
12 language was finalized. This draft language  
13 is now before the Councils for their review  
14 and comment during their fall meetings. The  
15 underlying theme of the proposed language  
16 was to develop language that is fair,  
17 prevents abuses, meets the needs of  
18 Federally qualified subsistence users, and  
19 does not prevent or limit the trade or sale  
20 between communities or villages.

21 In working towards a final rule,  
22 there are numerous steps that must be  
23 followed. This is set out by law. I would  
24 like to briefly review these with you and  
25 under this Tab G, I believe it's the third  
page under Tab G, is a schedule of interests  
provided which outline how we're going to  
move through this process.

The first step which we are  
currently in is a very important step in  
that it provides the first opportunity for  
Regional Councils, Tribal governments, and  
public to directly comment on the draft  
regulatory language. Council comments are  
being solicited at all Council meetings.

By the 1st of November all  
comments will be summarized and distributed  
to Task Force members.

The Task Force will review the  
comments and recommend to the staff  
committee and the Federal Subsistence Board  
how to address Council comments.

It's important to point out,  
though, that these comments will go as  
developed by your Regional Council. They  
will not be added to or changed by the Task  
Force.

It's important to note that this  
is not your only opportunity to comment on

1 this document. You as a Council will be  
2 involved throughout the process and final  
3 comments or recommendations to the Board  
4 will be due just prior to the Federal  
5 Subsistence Board May, 2002 meeting.

6 Between November 1st and the  
7 15th, the Task Force meets, considers  
8 comments from the Regional Councils, Tribal  
9 governments, and general public, and  
10 recommends how to address the comments  
11 received.

12 Prior to the Federal Subsistence  
13 December, 2001 meeting, the interagency  
14 staff committee will review all comments  
15 received to date and will develop  
16 recommendations on the draft preamble and  
17 proposed regulatory language.

18 Federal Subsistence Board meeting  
19 in December takes action on developing the  
20 proposed rule. That's not the final rule.

21 In December they'll develop a proposed rule.

22 The proposed rule is published in  
23 the Federal Register, and then again  
24 Regional Councils, Tribal Governments and  
25 the public will review and comment on this  
proposed rule. Regional Councils will be  
asked for the recommendations during their  
winter meetings in February or March and  
comments need to be delivered to the Federal  
Subsistence Board prior to their May, 2002  
meeting.

The interagency staff committee  
will review comments pertaining to the  
proposed rule and they will develop their  
recommendations.

During the May, 2002 Federal  
Subsistence Board meeting, the Board will  
review all comments and recommendations from  
Regional Councils, Tribal Governments,  
public, and staff committee and final action  
will take place, that's the goal, in May,  
2002.

We are hoping that the final rule  
will be in effect by midsummer, July, 2002.

Mr. Chairman, at this time, I'd  
like to introduce Mr. Carl Jack, the Native  
liaison for the Federal Subsistence Board;  
and he will be updating you on the Tribal  
consultation issues. Mr. Chair?

1 MR. LOHSE: Thank you, Pete.  
2 Carl?

3 MR. JACK: Good morning. I guess  
4 first to be so professional in me talking,  
5 I'm not that professional to break the ice.  
6 I'm also a pre-Elder, talk about beginning  
7 Elders yesterday.

8 With that, Mr. Chairman, members  
9 of the Council, the topic here is "Customary  
10 Trade." Before I do my presentation here  
11 this morning, I put on your desk a Tribal  
12 Consultation Policy. What we have done  
13 today on that in terms of Tribal  
14 consultation and the foundation from this  
15 Tribal consultation is done. Also, I passed  
16 out a copy of the Cabela's catalog. That --  
17 and not to fan the flames of discontent, but  
18 to provide you with some information as to  
19 the reasons why this issue of customary  
20 trade came about.

21 That particular page was passed  
22 on to the staff committee at one time citing  
23 as to the reasons why the proposed  
24 regulation should be tightened.

25 As you will note, in that  
26 particular page, there's Yukon strips for  
27 sale in Cabela's catalog, but does not say  
28 whether those fish were actually caught for  
29 subsistence or whether they were secured  
30 through the commercial outfit.

31 On Tribal consultation, on  
32 January 19th, 2001, the U.S. Fish & Wildlife  
33 Service and four other Federal agencies,  
34 along with the Alaska Special Assistant to  
35 the Secretary of Interior signed an Alaska  
36 policy on government-to-government relations  
37 with Alaska Native Tribes. And that is the  
38 policy that guides the office of subsistence  
39 management on Tribal consultation. The  
40 customary trade regulation once it's  
41 adopted, will impact all Alaska Natives,  
42 Tribal members, and it is for that reason  
43 that the office has initiated Tribal  
44 consultation specific to this customary  
45 trade. We started the consultation in  
46 August for the proposal that's in your book  
47 along with a copy of the briefing paper.  
48 The timetable was mailed to each and every  
49 one of the 229 Tribes in Alaska.

1           The transmittal letter, the  
2 comment period specified being from  
3 September to October 31, 2001. Let me just  
4 say that that October 1 does not foreclose  
5 the Tribes to making Tribal -- making  
6 comments. The Tribes can also attend the  
7 Federal Subsistence Board meeting in  
8 December and provide testimony directly to  
9 the Board on this issue.

10           In preparation and as a precursor  
11 to Tribal consultation, and that I'm  
12 referring to on about January when the  
13 customary trade Task Force was expanded to  
14 include ten members from the Regional  
15 Councils, and subsequent to the first  
16 meeting we provided the -- we provided  
17 reports and information to the Alaska  
18 Intertribal Council on the progress that was  
19 made by the Task Force.

20           In consultation with the ITC, a  
21 two-phased Tribal consultation process was  
22 conceived. First one was to mail the --  
23 mail the proposed draft regulation to the  
24 Tribes, and also if the Tribes have  
25 questions, then we set -- we said that we  
would make an effort to meet one on one with  
them to answer those questions.

          And we have done this because of  
the unique legal relationship of the Alaska  
Federally recognized Tribes with the United  
States Government, where they can be able to  
deal with the government one on one on the  
issues that will impact their Tribes.

          In addition, as Pete stated  
earlier, consistent with the -- with the  
requirements of the Administrative  
Procedures Act, a proposed rule after it's  
published, the public and the Tribes will be  
provided another opportunity to make  
comments before the final rule is adopted by  
the Federal Subsistence Board.

          In conclusion, the office of  
subsistence management is committed to  
consultation with Alaska Federally  
recognized Tribes in accordance with the  
executive orders of policy that guide the  
service.

          Consultation on the customary  
trade issue and the draft regulation  
developed by the Task Force will occur as

1 stated above, and the final rule will not be  
2 adopted until review and consultation  
3 opportunities are provided to all of the  
4 Tribal governments in Alaska.

5 Mr. Chairman, that concludes my  
6 presentation.

7 MR. LOHSE: Thank you, Carl.  
8 Does anybody here have any  
9 questions for Carl?

10 MR. LOHSE: I think you were  
11 pretty thorough.

12 MR. PROBASCO: Just one.

13 MR. LOHSE: Pete?

14 MR. PROBASCO: Mr. Chair, just  
15 one little -- and then I'll be wrapped up  
16 too. I would like you to focus your  
17 attention to page 3 of Tab G, just to help  
18 you to understand how this regulatory  
19 language is laid out through your  
20 discussions. You can focus on whatever part  
21 you'd like to comment on.

22 Looking at page 3, you will see  
23 that the regulation is broken out under  
24 "Customary Trade Between Rural Residents,"  
25 "Customary Trade Between Rural Residents and  
26 Others," and on the last page, page 4,  
27 "Purchase by Fishery Businesses."

28 The first part of the regulation  
29 dealing with customary trade between rural  
30 residents, the language deals with the cash  
31 sales of subsistence-harvested fish between  
32 rural residents, and in summary, the Task  
33 Force is recommending that no limits on cash  
34 sales between rural residents be  
35 established.

36 In other words, there's no cap  
37 from one rural resident to another rural  
38 resident.

39 The second part of the regulatory  
40 language deals with cash sales to others.  
41 In other words, nonrural residents, and this  
42 is where -- and I'm sure a lot of you heard  
43 the discussions already, is where a cap is  
44 being recommended for salmon only, and right  
45 now the Task Force is recommending a

1 statewide cap. However, you'll notice that  
2 in parentheses, there, we are also  
3 recommending, if the Councils feel  
4 appropriate, to submit proposed monetary  
5 caps for their areas.

6 But this section deals with sale  
7 of subsistence-harvested fish for cash to  
8 others, nonrural residents.

9 The last part of the regulation  
10 deals with the sale or prohibits the sale of  
11 subsistence-harvested fish to commercial  
12 fishery businesses. In other words,  
13 processors -- anybody licensed under the  
14 State of Alaska, as a fisheries business, a  
15 subsistence -- a rural subsistence user  
16 could not sell fish to them for cash.

17 Mr. Chair?

18 MR. LOHSE: Thank you, Pete. I  
19 think you summarized pretty clearly.

20 Basically, I guess we just need to as a  
21 Council go over each section and have our  
22 comments on it, and if there's anything that  
23 we want to change, then what you would like  
24 for us to do as a Council is to submit them  
25 to the Task Force, right?

MR. PROBASCO: Mr. Chair, that's  
correct in part, but also those comments  
will be forwarded to the -- forwarded to the  
staff committee as well as the Subsistence  
Board. The staff committee would like to  
review the comments so we may be able to  
establish more recommendations as a Task  
Force to the Federal Subsistence Board. The  
Task Force is an appointed committee, if you  
will, and our work isn't completed until the  
Federal Subsistence Board tells us it's  
completed and we've been asked to review the  
comments and provide, based on those  
comments, any further recommendations.

Mr. Chair?

MR. LOHSE: Ann, you told us --

MS. WILKINSON: I was going to  
suggest that this might be an appropriate  
time for a short break.

MR. LOHSE: I think this might be

1 an appropriate time for a short break.

2 MR. ELVSASS: One question. On  
3 the issue of selling the salmon roe, you can  
4 sell it to a buyer, a fisheries business  
5 buyer which -- the fish plants and so forth  
6 are the buyers of fish roe. Now, as I  
7 understand on the Yukon, there's quite a few  
8 people that make their cash income by  
9 selling the roe from the subsistence fish,  
10 and in reading this, they couldn't do it  
11 directly, but now if they sold it to another  
12 party locally, rural resident, could that  
13 person sell it to the buyer? You see what  
14 I'm saying?

9 MR. PROBASCO: Mr. Chair, yes,  
10 Fred, I do understand. Years back at one  
11 time, it was legal for subsistence users to  
12 sell roe, however that is no longer the  
13 practice. It is illegal under State law for  
14 subsistence-harvested fish to be sold. So  
15 that cannot take place. Only if a  
16 commercial season is open on the Yukon.  
17 Those fish have to be sold like any other  
18 commercial fish in its entirety to the  
19 buyer, and the buyer can do whatever he  
20 wants to do with the roe of the product.  
21 That's not allowed.

16 MR. ELVSASS: So, in other words,  
17 then the buyers have to buy it with an empty  
18 card, commercial license?

18 MR. PROBASCO: That's correct.

19 MR. ELVSASS: Thank you.

20 MR. LOHSE: Pete, if I can  
21 clarify something on that. That isn't even  
22 something that was proposed by the Task  
23 Force. That's State law. By State law  
24 somebody with a commercial fisheries  
25 business license cannot receive for trade or  
26 barter any subsistence-caught fish or  
27 product. So it's -- in other words, if a  
28 commercial operation takes  
29 subsistence-caught fish, they're in  
30 violation of their license, to lose their  
31 license.

1 Roy?

2 MR. EWAN: Mr. Chairman, I just  
3 want to get the two people -- I've been out  
4 of the loop for a while. I missed several  
5 meetings, and I had a lot of interest in  
6 this particular area, customary trade and  
7 how it's going to be implemented under the  
8 rules and regulations that we're talking  
9 about.

10 I'm wondering about people that,  
11 say, come from other states and come to  
12 Alaska and live out in rural Alaska for a  
13 little while, they're qualified to do this  
14 also that you're mentioning, even though  
15 they have not done this customarily and all  
16 that?

17 MR. PROBASCO: Mr. Chair, Roy, if  
18 an individual moves from wherever and moves  
19 into a rural community and once he  
20 establishes that he's a rural resident, yes,  
21 he would be legally allowed to do this, but  
22 he would first have to establish and be --  
23 meet the requirements as a rural resident.  
24 Mr. Chair?

25 MR. LOHSE: Thank you, Pete.  
26 With that, if there's no further  
27 questions for Pete, we'll take a break and  
28 discuss this as a Council after the break.  
29 Ten minutes.

30 (Break.)

31 MR. LOHSE: With that, I'd like  
32 to call the meeting of the Southcentral  
33 Regional Advisory Subsistence Council back  
34 in session.

35 We're going on looking at draft  
36 regulatory language for the customary  
37 trade -- just customary trade, not customary  
38 trade and barter.

39 At this time, I'd like to -- I  
40 was going to ask if there's any public  
41 comment. I have one public comment right  
42 here. I was going to give the public the  
43 opportunity to testify before we got  
44 started. Before we got into discussion, if  
45 that's okay with you.

46 Was there any other public that

1 wished to comment?

I've got one -- all I've got is

2 Gloria here right now.

Okay.

3 Gloria?

4 MS. STICKWAN: Gloria Stickwan,  
Copper Native Services, with the Ahtna  
5 Village Corporation. We agreed on the  
definition, the making and selling of  
6 handicraft articles made out of edible and  
nonedible by-products of fish and includes  
7 all Federal and public lands, parks,  
monuments and preserves for subsistence uses  
8 are permitted and where cash is exchanged  
between residents.

9 We didn't include an amount in  
our definition, and we didn't -- did not  
10 specify urban or rural. We just left it  
residents.

11

12 MR. LOHSE: Okay, would you  
repeat that, please?

13 MS. STICKWAN: The making and  
selling of handicraft articles made out of  
14 edible and non- edible by-products of fish  
and includes all Federal public lands,  
15 parks, monuments and preserves where  
subsistence uses are permitted and where  
16 cash is exchanged between residents.

17 And then I also had a definition  
for plants and wildlife resources and  
minerals, because I included that, I just  
18 said the definition of what is edible and  
nonedible should be undetermined -- should  
19 be determined by the local rural residents.  
The specific determination as to what is  
20 edible and non- edible.

21 MR. LOHSE: Thank you.  
Any questions for Gloria?

22 Gloria, have you had a chance to  
review what the Task Force came up with  
23 right here at -- the draft language that's  
here, remembering that the Task Force was  
24 just assigned to fish at this point in time?

25 MS. STICKWAN: Yes.

1 MR. LOHSE: Did you have a chance  
2 to review this?

3 MS. STICKWAN: Yes, we changed it  
4 a little bit. The only difference is we  
5 didn't want to have rural residents in  
6 there. We just said "residents," between  
7 residents. That's a definition for the  
8 difference between ours and theirs. They  
9 had rural residents in theirs, and the other  
10 definition they had a cash amount. We left  
11 that out.

12 MR. LOHSE: Okay. So you took  
13 out, basically, on the first section, then,  
14 you just said between residents, not rural  
15 residents?

16 MS. STICKWAN: Yes, yes.

17 MR. LOHSE: Okay. I know in the  
18 discussion it was over whether that should  
19 be rural or Federally qualified residents at  
20 one time. That was a big part of  
21 discussion.

22 And then where it came down here  
23 in the trade between residents -- rural  
24 residents and others, you left out the cash  
25 amount on the salmon?

MS. STICKWAN: Yes.

MR. LOHSE: Okay. I was thinking  
back to when we first had a discussion on  
this where when we -- you had a discussion  
and you mentioned what we didn't want to do  
was we didn't want to leave it open enough  
that we couldn't attract what Roy was  
talking about, the fact that anybody that  
wanted to move in can set up a business and  
sell salmon.

MS. STICKWAN: Yeah. We  
considered and thought --

MR. LOHSE: And have competition  
that way.

MS. STICKWAN: Yeah, it's just  
that we decided to take it out because we

1 couldn't come up with a figure.

2 MR. LOHSE: Just couldn't come up  
3 with a figure?

4 MS. STICKWAN: No.

5 MR. LOHSE: That was the same  
6 problem the Task Force had was trying to  
7 come up with a figure that would meet the  
8 needs and at the same time not attract  
9 attention.

10 MS. STICKWAN: My own suggestion  
11 just by representing myself, I think there  
12 should be a permit in place, where, you  
13 know, to have it -- NPS to have concessions,  
14 they sell permits to -- or they give permits  
15 to concessions, concessionaires, on NPS  
16 public lands. These are businesses that,  
17 you know, have vendors out there. I think  
18 they could do the same thing through this  
19 and to put out permits and that way monitor,  
20 you know, through the permits. They can  
21 have a report or whatever at the end of this  
22 business here as to -- they can just  
23 distribute the permits.

24 MR. LOHSE: That was discussing  
25 also, the main thing, a loss of the people  
26 there were interested in was the fact that  
27 they didn't want to have anything that would  
28 interfere with the trade that went on at the  
29 AFN conventions and things like that.

30 MS. STICKWAN: A permit from the  
31 whole year.

32 MR. LOHSE: From the whole year.  
33 So, a permit with your  
34 subsistence fishery permit, basically, where  
35 you would put on it how much you sold?

36 MS. STICKWAN: You could keep  
37 track of it, Federal agency would be able to  
38 keep track of how much has been sold.

39 And I think there should be one  
40 definition and not two different  
41 definitions, like NPS has a definition in  
42 their regulations book and then there's  
43 another definition. Like there should just

1 be one definition for everybody.

2 MR. LOHSE: Now, these aren't  
3 definitions here.

4 MS. STICKWAN: No, I got my  
5 definition from both NPS -- I looked at NPS  
6 what they had in their regulations and then  
7 I looked at the brown booklet.

8 MR. LOHSE: Any other questions  
9 for Gloria?

10 Okay. One more chance for other  
11 public testimony?

12 We don't have any. Okay, Pete,  
13 Carl, you can come back up to the table.

14 MR. LOHSE: Pete, I'm going to  
15 ask you a question. What is our definition  
16 at this point in time as it applies to what  
17 customary trade and barter of fish is? Do  
18 we have a definition on that?

19 MR. PROBASCO: Yes, Mr. Chair,  
20 there is a definition on both customary  
21 trade that pertains to cash which I  
22 discussed earlier in my presentation, and  
23 then barter is treated separately, and there  
24 is a definition in the Federal regs. I  
25 don't have the exact wording, I apologize.  
26 There are two separate definitions for  
27 customary trade and barter.

28 MR. LOHSE: Let's open this up to  
29 Council members. We can do this a number of  
30 ways. We can open this up for discussion,  
31 do it one section at a time.

32 Roy?

33 MR. EWAN: Mr. Chairman, I just  
34 wanted to talk about the last -- the person  
35 mentioned -- the difference between trade  
36 and barter. Could you give me an idea of  
37 what you're talking about here? One, you  
38 have explained what the trade is, the other  
39 is --

40 MR. PROBASCO: Mr. Chair, Roy,  
41 the Task Force wrestled with that for a  
42 while, and I think it took us a full day

1 before we all got it clear in our mind what  
the difference is, and I think it's real  
2 important to keep in mind that this language  
was drafted down in Washington, D.C. and  
3 didn't -- I don't think it recognized that  
when we say customary trade in Alaska, we're  
4 discussing both cash sales and barter.

However, when they developed the  
5 regulations, they separated it, and so the  
way I keep it clear in my mind is I separate  
6 both of them and I say customary trade only  
identifies an exchange of a  
7 subsistence-harvested fish for money. And  
then barter is everything else. And that's  
8 the only way I can keep -- if I start  
thinking customary trade like we normally  
9 think about it, that's where you get  
confused. In the Federal terms, customary  
10 trade is only dealing with money, and barter  
deals with all other aspects.

11 MR. EWAN: Thank you.

12 MR. PROBASCO: Mr. Chair, Taylor  
13 pointed out to me that the definitions are  
in our handy-dandy there, a definition of  
14 barter and definition of customary trade  
right here for quick reference. Thank you.

15 MR. LOHSE: Could you read those  
16 to us, Pete, for right now?

17 MR. PROBASCO: Okay. Customary  
trade means cash sales of fish or wildlife  
18 resources not otherwise prohibited by  
Federal law or personal needs. Customary  
19 trade does not include a trade that  
constitutes a significant commercial  
20 interest price.

Barter means a limited  
21 noncommercial exchange of fish or shellfish  
or their parts taken for subsistence uses  
22 for other fish or shellfish or their parts.  
Barter can also mean exchange of  
23 subsistence-taken fish or shellfish for  
wildlife, other food, or for nonedible items  
24 other than money.

25 Mr. Chair?

MR. LOHSE: Thank you, Pete.

1           Okay. At this point, on this one  
2 here, we're dealing only with customary  
3 trade. The barter is unlimited.

4           Barter means if you want to trade  
5 fish for moose meat or birch bark baskets or  
6 whatever, that's unlimited by Federal law.  
7           Pete?

8           MR. PROBASCO: That is incorrect.  
9 The only place in these regulations that we  
10 discuss barter is when we deal with fishery  
11 businesses. What the Task Force was looking  
12 at there is to try to prevent a loophole  
13 where a fishery business would say, "You  
14 give me a thousand pounds of fish, I'll give  
15 you an elk for it." Barter in these  
16 regulations only deals with commercial  
17 businesses.

18           MR. EWAN: Mr. Chair?

19           MR. LOHSE: Yes, Roy.

20           MR. EWAN: People have already  
21 mentioned that. I know you're probably  
22 going to get into that. One question I  
23 have: It used to be very popular -- first  
24 thing anybody wanted to know when they came  
25 to the villages, do they have caribou  
26 antler. Is that allowable?

27           MR. PROBASCO: Mr. Chair, thanks,  
28 Roy, for the question. Keep in mind that  
29 this regulation only pertains to fish.  
30 There are specific regulations that deal  
31 with wildlife --

32           MR. EWAN: The by-product that  
33 Gloria is talking about?

34           MR. PROBASCO: Wildlife, that  
35 would still be allowed to occur. This is  
36 dealing only with fish.  
37           Mr. Chair?

38           MS. SWAN: Mr. Chairman -- now,  
39 does this customary trade and barter only --  
40 when you say "only" is it you're to do only  
41 customary trade or barter with  
42 subsistence-caught fish? Is that -- is

1 that -- am I interpreting that correctly or  
2 what?

3 MR. PROBASCO: Mr. Chair, Clare,  
4 that is clear. This is only over authority  
5 with subsistence-harvested fish, no other  
6 commercial, sport, anything.

7 MR. LOHSE: Yeah. Pete, I think  
8 that was a good clarification. This does  
9 not apply to fish that were taken with a  
10 commercial license. This does not legalize  
11 fish taken under a sport license being  
12 traded or bartered either.  
13 Roy?

14 MR. EWAN: Mr. Chairman, I don't  
15 know who can answer this. Maybe this is a  
16 wrong time. Do you see an increase in  
17 subsistence fishing because of these new  
18 trade and barter regulations?

19 Seems to me, I do. Seems to me  
20 that I would see a significant increase in  
21 the number of fish taken and so forth.

22 MR. PROBASCO: Mr. Chair, Roy,  
23 there is -- I share that concern with you as  
24 well. It seems like the general public,  
25 when you put in a regulation, they see an  
amount. It's sort of like a limit. You  
think you've got to fish up to that limit or  
you've got to sell up to that much money.  
However, we can't ignore the fact  
that the regulations already establish cash  
sales. So, the ball's back in our court in  
trying to keep the cash sales at a level  
that recognizes what traditionally has taken  
place and prevent abuse.

26 I would say, Roy, that the risk  
27 of not trying to define that with the  
28 current regulations where there is no  
29 definition would -- once people are aware of  
30 more of the Federal system and the Federal  
31 regulations would invite more abuse versus  
32 what we're trying to do here, trying to  
33 define it and, if you will, lack of a better  
34 term, put a cap on it that will safeguard  
35 other subsistence uses as well.

Mr. Chair?

1           MR. LOHSE: Thank you, Pete.  
2           Roy, that was the biggest thing that we  
3           wrestled with when we were working as a Task  
4           Force on it is how to allow what's going on  
5           without -- without producing an incentive  
6           for a lot of people to jump in and take a  
7           lot of fish and compete with the current  
8           subsistence users because there's all of a  
9           sudden a monetary goal in mind. And that  
10          was the biggest reason that finally from a  
11          lot of areas that had a lot of people, the  
12          idea of a cap came up because what we can  
13          see happening, like you said before, any  
14          rural resident can do this, and so all of a  
15          sudden, the incentive is for any rural  
16          resident to try and catch more fish, or to  
17          move and become a rural resident so you can  
18          catch more fish and sell them.

19          So, that was the whole idea  
20          behind the reason that we argued for a long  
21          time over cap, the size of cap, and whether  
22          we needed a cap. And areas that had more  
23          people thought that a cap was needed. Areas  
24          that didn't have so many people where  
25          there's no salmon, didn't think a cap was  
26          needed.

27          So, that was one of the -- that  
28          was one of the biggest things that we spent  
29          the most time on because everybody wants to  
30          allow what's going on, but not attract a lot  
31          of competition or a lot of -- a lot of new  
32          people doing it simply to make the money.

33          MR. EWAN: Mr. Chairman, can I  
34          make a comment?

35          I think that it's going to -- in  
36          the long run, I guess, affect the real needs  
37          of the rural subsistence user, in my  
38          opinion, this particular barter and trade  
39          regulation, because I think it's going to  
40          increase the number of take for -- of  
41          salmon. I'm really concerned because I know  
42          in some rural communities that people are  
43          not really business-oriented. You know,  
44          you're going to compete with people -- who  
45          you know knows how to sell products, and  
46          that kind of bothers me.

47          MS. SWAN: Mr. Chair?

1 MR. LOHSE: Yes.

2 MS. SWAN: I know we're  
3 discussing subsistence here, but I am  
4 compelled -- compelled to ask this and if  
5 it's inappropriate please tell me to shut  
6 up.

7 MR. LOHSE: Nothing is  
8 inappropriate.

9 MS. SWAN: In the end this all  
10 has to do with salmon and conservation and  
11 et cetera and so forth, okay. Now, then,  
12 we're talking customary trade and barter  
13 about subsistence fish, okay? So, on the  
14 Kenai we're not rural, okay? What -- how,  
15 then, if you're talking about abuses and I  
16 recognize and agree with what Roy just said,  
17 then if we have personal use fishery and we  
18 have the sport fishery in which the users  
19 make these huge amounts of canned salmon,  
20 and admittedly take them back to the Lower  
21 48 and sell them, very proudly, they say  
22 this pays for my vacation every year, now,  
23 you know, we have this big flap about  
24 subsistence and all these people that are  
25 going to come and just decimate the fish and  
walk all over us. I mean, the only  
boundaries to me that exist around here are  
just the labels we put on them. We say,  
okay, this is personal fish; this is sport  
fish; and this is this. So, I don't know  
what law enforcement is doing about that. I  
do know one time in Kenai when someone  
just -- you know, there was this big cry  
about all the canned salmon that was going  
out of State, and they said, well, these are  
just average nice retired folks who are  
going to sell their catch at flea markets  
and there's not anything we can do about  
that.

I mean, how -- when you talk  
about all this -- if you talk to these nice,  
average retired folks, they say, well, this  
is subsistence. I sport fish for  
subsistence. So, I don't know what all that  
means, but, basically, you still have the  
same problem. You've got the problem of  
abuse because it -- actually, I don't think

1 it's legal to do this, but it certainly  
2 isn't a good thing, and talk about numbers,  
3 they're really increasing, and -- on both,  
4 if this happens with customary trade and  
5 barter, and where the use gets bigger, then  
6 where are we and how do we arrive at any  
7 balance?

8 Thank you.

9 MR. LOHSE: Pete?

10 MR. PROBASCO: Mr. Chair, Clare,  
11 I think your comments are very good and well  
12 taken. The one caveat or saving part of  
13 this regulation is that it prevents fishery  
14 businesses from purchasing fish or bartering  
15 for fish. That removes a very large  
16 element.

17 Additionally, ANILCA does not  
18 address processing requirements, how fish  
19 should be sold. So, once a person, let's  
20 say a rural resident, wants to sell a  
21 processed product, say, to a tourist boat,  
22 he then or she falls under State  
23 regulations. Then that person then has to  
24 meet all those health requirements for a  
25 processed product. So that in itself  
prevents that type of a very large sale  
because that person would have to meet the  
same requirements as a fish processor or a  
restaurant, et cetera.

So, there are regulations that  
this regulation ties into that Federal  
regulations that do not have jurisdiction in  
but will prevent some of the concerns that  
you just outlined.

Mr. Chair?

MR. LOHSE: Thank you, Pete. I  
think one of the things to remember, Clare,  
is that currently the sale of  
subsistence-caught fish is totally legal  
under Federal law. The only thing that  
hasn't been defined is a little phrase in  
there that says "not of significant value,"  
and that's basically what the Task Force has  
had to try to do is to define what is a  
significant commercial value. Because under  
law right now, it hasn't been done to a  
large extent. But under law right now, the

1 fish can be sold.

2 So, it's up to us as a group to  
3 decide whether in our area, because that's  
4 one of the things that came up from all the  
5 different Councils, is they saw that  
6 different areas have different problems.  
7 And in our area, what do we want to think of  
8 as a significant commercial enterprise? Do  
9 we see any need to put any kind of a cap on  
10 it to prevent exactly what Roy is talking  
11 about where people come in and subsistence  
12 fish not because they want to do it for  
13 subsistence, but because they want to do it  
14 for the monetary value, and that's our  
15 areas -- that's where we have to, as an  
16 area, we have to make a recommendation  
17 for -- at least for our area.

18 Thank you.  
19 Roy?

20 MR. EWAN: Yes, Mr. Chairman, I  
21 want to ask one more question.

22 Have you discussed whether this  
23 had to be an individual thing, like if I  
24 wanted to trade, do I have to do it  
25 individually, I can't do it with another  
26 subsistence fisherman? Say, if we come by  
27 our -- whatever, we cooperate or have a  
28 co-op or something where we combine our  
29 efforts to barter?

30 MR. PROBASCO: Mr. Chair, Roy, if  
31 I understand your question, this would not  
32 prevent you as an individual to sell your  
33 product to a rural -- to a nonrural resident  
34 based on the cap -- to whatever cap is  
35 established. You're not limited if you  
36 wanted to exchange it to a rural resident.

37 There is no limit on that.

38 This is -- if the cap is  
39 identified for sale from rural to nonrural,  
40 we're recommending that it applies only to  
41 an individual. It's not a household limit  
42 or a group limit.

43 So if there's five of you in your  
44 family and you're out fishing, whatever that  
45 cap's established, it would be five times  
46 that cap.

47 Mr. Chair?

1           MR. LOHSE: Thank you. Roy, did  
that explain what you were asking?

2

3           MR. EWAN: Yeah, partly.  
4           Mr. Chairman, the way I gathered,  
I can ask you to give me a thousand of your  
fish for something?

5           MR. LOHSE: Oh, definitely.

6           MR. EWAN: And I can market 2000,  
7           I -- I mean \$1,000 -- no, that wouldn't  
work, there's still a cap.

8           MR. PROBASCO: Just on you.

9           MR. EWAN: We can't agree.

10          MR. PROBASCO: You can't sell  
11          Roy's fish.

12          MR. LOHSE: We can. It would  
13          still be me and you together. It would be  
my cap and your cap.

14          MR. EWAN: That's allowed. Five  
15          people together, we can do \$5,000 worth of  
business?

16          MR. LOHSE: That's only with  
17          others. Maybe what we should do is take a  
look at this one section at a time. Let's  
18          take a look at the first section.  
The first section says, Roy, that  
19          between you and I, we can sell each other as  
much as we want to sell each other. There  
is no limit.

20          If you want to sell to somebody  
in the Nenana, there is no limit.

21          Now, the limit is how many fish  
22          you're allowed to take under your  
subsistence permit, but there's no dollar  
limit if you're selling to another rural  
resident of the state.

23          Now, the last part of the thing  
24          says that you can't sell to a commercial  
enterprise. In other words, somebody that  
has a State license, and that's State law  
25          for them, the people that have the license  
say that they can't receive

1 subsistence-caught fish. So whether we  
2 would say we could or whether we would say  
3 you couldn't doesn't change the fact that  
4 the person who holds the license can't do it  
5 anyhow.

6 The part that we had heartburn  
7 with and the part that was the hardest, we  
8 all agreed that between rural residents  
9 there should be no limit.

10 In other words, if you want to  
11 sell fish or fish products to Fred, there's  
12 no limit to how many you can sell to Fred.  
13 If Fred wants to sell some to you, there's  
14 no limit on how many he can sell to you.

15 MR. EWAN: Mr. Chairman, I do  
16 have a question because you said that. How  
17 do you track the -- who has the fish?  
18

19 MR. LOHSE: Roy, if you got an  
20 idea on that one, the State and the feds  
21 would love you. We don't know how to track.  
22 Right now there's no tracking of it. Right  
23 now, all the law says is that you can do it.

24 So, I mean, the IRS would be real  
25 happy if you could figure out a way to track  
26 it. But, currently there is no way to track  
27 it. The only thing we have for tracking is  
28 almost all subsistence fisheries have a  
29 limit on the amount of fish that can be  
30 taken. But they have nothing to do with  
31 dollars.

32 Fred?

33 MR. ELVSASS: I have a problem  
34 with this unlimited sale. We're talking  
35 about subsistence fishing, and if I caught  
36 one fish and sold it, that's a significant  
37 business right there because I haven't  
38 caught anything for me. I've sold  
39 everything I caught. Or if I caught a limit  
40 of 500 and sold all 500. I would rather see  
41 something in the nature of the subsistence  
42 fisher must retain a percentage of the  
43 catch. For instance, I would think that if  
44 you retain 75 percent of your catch, that  
45 would allow you to sell any by-products  
46 also. All the fish, the roe or whatever, or  
47 even 25 percent of the fish in total, you  
48 could sell. Then it's not a significant

1 business. But if you can sell everything  
2 you catch, that is a significant business no  
3 matter if it's one or a thousand. And what  
4 we're going to wind up with here, if we're  
5 not careful is subsistence fishing as a  
6 business. The commercial fishing of  
7 subsistence resource, and I don't think that  
8 was the intent by anybody. Certainly, I  
9 don't want to deny the right to barter,  
10 trade and so forth, but \$1,000, you know,  
11 what does it amount to?

Now, this is primarily what I'm  
12 talking about here, is salmon. When you  
13 look at hooligan and other things such as  
14 herring and whatnot, there is no way to  
15 butcher those for sale or anything. You  
16 sell them as you catch them. But I think in  
17 regards to that, I would prefer something in  
18 the form of no more than 25 percent of the  
19 catch. Then I know that they're not doing  
20 it as a business.

Even that will entice some.

The other part of this, when we  
21 get to the \$1,000, I think we're going to be  
22 sure that that \$1,000 is current dollars so  
23 that we don't ten years later find out that  
24 \$1,000 is worth a nickel today, and, you  
25 know, you're out of line with the actual  
monetary values.

So, I think that the first part  
needs to be addressed and then I'd rather  
see a percentage rather than 100 percent.

And I think that the subsistence fishermen  
should retain no less than 50 percent for  
his own consumption.

So, with that, Mr. Chair?

19

MR. LOHSE: Thank you, Fred.  
20 Roy, what do you think of that?

21 MR. EWAN: Mr. Chairman, I think  
22 some limit might be good, but I would rather  
23 see it say like 50/50. I think some rural  
24 residents feel you got the type of food to  
25 have cash for your boat to get to the fish  
camps and all that. I don't think 25  
percent would meet that need. I'd like to  
see that increased a little bit.

MR. LOHSE: But the idea being --

1  
2 MR. EWAN: I think it's a good  
idea.

3 MR. LOHSE: The idea that you're  
4 fishing for yourself and your family first.  
Fred?

5 MR. JOHN: What I'm afraid of is  
6 abuse, but like Roy said, putting up a  
fishwheel costs money, buying the lumber  
7 and, you know, the whole work, it costs  
quite a bit. And on the Yukon, they use  
8 nets down there too. That costs a lot of  
money, the gas, their boat. And I could  
9 see -- I'd like this one, how it's written  
myself personally, but my concern is  
10 enforcement and abuse of the system because  
there will be a lot of Johnny-come-latelys  
11 that just show up in one year and they don't  
know nothing about trade. All they want to  
12 do is make money, try to make a few bucks.  
And I know that.  
So that's my concern.

13  
14 MR. LOHSE: Fred, what do you  
think about Roy and Fred's idea that you  
15 should have to fish for yourself first and  
you could sell a percentage of it instead  
of -- instead of fishing just to sell it?

16 You see how that would work or  
17 what do you think on that?

18 MR. JOHN: Well, in the Copper  
River area, I know the subsistence, most of  
19 the Native subsistence fishermen and I  
believe that, you know, that the -- they  
20 want to fish. That's their diet for the  
winter and I don't think a lot of them would  
21 abuse it. I'm just talking about mostly the  
one-year residents in the area. That's what  
I'm worried about more. Because once you  
22 live a traditional lifestyle -- that's what  
we've been doing all the time. We go to  
23 Anchorage or we go to Fairbanks and get, you  
know, a big box of dried fish or salmon  
24 strip from Rampart or from different places  
like we would trade, and it's really good  
25 but the way it's working now, it's real  
good, I think. You know, I just -- and we

1 buy it with money, and AFN, they could go  
2 down and buy salmon down there, which is  
3 illegal under State. Is it, Jack, selling  
unprocessed dried salmon, is it legal or  
illegal under State?

4 MR. JACK: My understanding is  
5 that it's illegal under the State, but the  
6 current practice of selling at AFN would be  
covered under 812.

7 MS. SWAN: Mr. Chairman, just a  
8 clarification, because you speak of -- it's  
9 in the language in rural to rural selling  
10 subsistence-caught salmon. Is it okay to  
11 sell to a nonrural, your subsistence catch?

12 MR. LOHSE: That's covered under  
13 No. 12. That's why we ended up splitting  
14 the two sections, because we recognized that  
15 between subsistence users, Federally  
16 qualified subsistence users, that was -- and  
17 that's where the word "rural" means  
18 Federally-qualified subsistence user. We  
19 thought of putting that in instead. We went  
20 over and over the words. But by Federal  
21 definition, a rural Alaskan is a Federally  
22 qualified subsistence user, and that's why  
23 we said -- that's why as a group we decided  
24 there should be no limit between that.

25 Where we looked at the problem  
that Fred and Roy has been talking about,  
the idea that you could invite abuse is the  
fact that you have a lot of other people who  
are not rural residents. They can be  
tourists. They can be anybody else who can  
become a market to invite somebody to fish  
for subsistence strictly to sell instead of  
to fish subsistence for subsistence.

So that's why that was the one  
that they put a cap on. Because the cap was  
for the fact that that's the -- that's the  
Cabela's strips right here and things like  
that where you're selling fish to other  
people. And so the idea was that -- that in  
order -- to not invite that abuse they're  
talking about somehow or another a cap was  
needed. And there was a lot of discussion  
on that. And like I said, some areas that  
don't have salmon don't think a cap is

1 needed. Some areas where they don't have  
road access don't think a cap is needed.  
2 Maybe we don't think a cap is needed. But  
let's take this so we can get someplace.  
3 Let's take the first section right here. We  
were looking at that. That's trade between  
4 rural residents. Roy and Fred were  
suggesting that maybe in order to even keep  
5 that from becoming commercial we need to put  
a percentage of something on it of 50/50 or  
6 not less than 50 percent or something so  
that you don't even -- there's enough rural  
7 residents that you can fish for other rural  
residents and not keep any for yourself.  
8 What's the -- let's take this  
first section as a Council. What's our  
9 thoughts on this first section?  
Fred?

10  
MR. ELVSASS: First of all, you  
11 know, the concept of fishing is getting  
food. That's the primary thing. And if you  
12 are going to get food for others, you can  
proxy and do those type of things. But --  
13 and I can understand what Fred John is  
saying about it costs a lot of money to have  
14 a fishwheel and it's not cheap. If you can  
help defray the costs, that's well and good.  
15 But I don't think that should be the purpose  
of having the fishwheel. If you have  
16 unrestricted sales, you're going out there  
to put the fishwheel in to sell fish or to  
17 put the gill net in and they're not cheap  
either. So, the people that are fishing  
18 today and have fished in the past, I don't  
think that's a problem. My problem is you  
19 adopt this regulation and you're going to  
see a triple amount of subsistence fishermen  
20 all of a sudden because they can make a few  
dollars at it.  
21 Especially when people are  
unemployed, there's nothing better than to  
22 borrow a net and a skiff and get a bunch of  
fish on a permit; and I know in our area, I  
23 have a boat and motor and I fish my net, and  
I have a couple other guys fish their nets  
24 with my boat and motor. I don't charge them  
nothing for it, but they just don't have a  
25 boat and motor. So that could just expand  
and get out of hand. And that's what

1 bothers me. I think that if I'm going to go  
2 fishing for subsistence, I'm fishing for  
3 food. If I share it and trade it which I  
4 like to do, that's well and good, but I'm  
5 not in the business of selling that product.  
6 I'm not trying to defray my costs by selling  
7 some. And some places it's necessary.

8 But, on the other hand, if it is  
9 necessary to defray the cost, you shouldn't  
10 do it 100 percent. I think Roy's comment of  
11 50/50 is probably more practical. I'm in a  
12 position where I'd rather say 75/25, but  
13 50/50 is realistic. But if you're going to  
14 have subsistence fish for sale, especially  
15 in the salmon area, you should also be a  
16 user, consumer.

17 Thank you.

18 MR. LOHSE: Thank you.  
19 Roy?

20 MR. EWAN: Mr. Chairman, the more  
21 I think about it, the more I like the idea  
22 of the person who has a fishing permit to  
23 get fish for themselves first and, for lack  
24 of a better percentage, I think 50/50 is  
25 good with me, because -- because I've heard  
26 a lot of people in some rural communities  
27 that use boats and other means to get their  
28 fish, have other expenses. They also want  
29 other types of food to supplement the fish.

30 I think 25 percent of the run is  
31 not that good. It would be a hardship on  
32 some of the people. That's just what I see.

33 I think that there's room for a  
34 lot of abuse here but what you said earlier,  
35 Mr. Chairman, where you can sell me a lot of  
36 fish and so can Fred and everybody, and  
37 there's nobody tracking where this is all  
38 going. I could be doing something else with  
39 it, it appears to me. I wouldn't be doing  
40 it, but I know that some business-oriented  
41 individual coming from somewhere else to a  
42 rural area can make a big business out of  
43 this. I like the idea of kind of making  
44 sure that the individual fishes for themself  
45 first.

46 Thank you.

47 MR. LOHSE: Fred?

1 MR. JOHN: I've got a question,  
2 Mr. Chairman. Right now we're just giving  
3 them comments and recommendations and  
whatever?

4 MR. LOHSE: We're speaking to the  
5 draft language that's right here to make  
6 comments on that so that we can go back and  
revise language.

7 MR. JOHN: Okay. That's all.

8 MR. LOHSE: Roy, I'm going to ask  
9 you a question on that because I've been  
10 thinking about it too, and I have never  
11 given that a thought before, the idea that a  
12 person should have to fish for themselves  
13 first and for their families' needs; and so  
14 I took a look at this one that we had here  
15 after we'd been talking, and what I added to  
16 it is I take the first one, the exchange for  
17 cash of subsistence-harvested fish, for  
18 example -- their parts legally taken for  
19 Federal management methods, processed or  
20 unprocessed is permitted for cash exchange  
21 as long as the rural resident keeps -- at  
22 least 50 percent of all salmon taken are  
23 kept for the family's personal food.

24 Would that make that much more  
25 acceptable?

MR. EWAN: Yes, for me.

MR. ELVSASS: I like that idea.

MR. LOHSE: I like that idea too,  
because it points out that the reason for  
the subsistence is to take food for the  
family. Because, like you said, some of the  
people from up north talked about the  
expense in doing their subsistence  
activities, and the need to sell some of the  
product just to pay the expenses so they can  
continue their subsistence activities.

MR. EWAN: Mr. Chairman, a  
comment on what we're talking about here,  
and that is it seems to me like it will  
curtail the abuse a little bit. I think if  
we do it this way rather than just leave it

1 wide open and you don't sell 100 percent of  
2 your catch, because I can just imagine a  
3 schoolteacher out there somewhere in rural  
4 Alaska storing a lot of salmon in order to  
5 sell it later. That, I don't think the  
6 person would do. It's going to be a waste  
7 of salmon, I would think, unless she's  
8 giving it away later on. I think the  
9 individual has got to make use of the --  
10 process the fish for themselves and show  
11 somehow that they are using the salmon for  
12 themselves rather than selling everything, you  
13 know.

14 I think that it will cut down on  
15 abuses. Not totally, but I think --

16 MR. LOHSE: Not totally.  
17 Fred?

18 MR. JOHN: Yeah, this exchange  
19 between rural resident -- that word "rural"  
20 I don't like that. It could be rural, but  
21 you could be a non -- a nonsubsistence user,  
22 Federally qualified or whatever?

23 MR. LOHSE: Would you replace it  
24 with Federally qualified?  
25 Fred?

MR. JOHN: Yeah.

MR. LOHSE: You'd rather have it  
Federally qualified subsistence user?

MR. JOHN: A teacher that just  
came in that don't even have -- is qualified  
as a subsistence user.

MR. LOHSE: So, that was one  
thing that we went over that word time and  
time again because under Federal law the  
word "rural" means Federally qualified  
subsistence user. And that's why we ended  
up using "rural" instead of spelling it out.  
I'm in favor, like you --

MR. JOHN: And a lot of people  
will take that and use it in their own  
definition.

1           MR. LOHSE: I'm like you, I would  
prefer Federally qualified subsistence user.  
2           Let's change that.

3           MS. SWAN: Mr. Chairman, I'm not  
a Federally qualified subsistence user, I  
4           guess, but I much prefer with subsistence  
foods or salmon, I much prefer, in my  
5           experience -- we barter because of the time  
we make -- the berry pickers make jam and  
6           trade for strips or whatever. It's how we  
do it. And we've always done that. But, of  
7           course, you know, I'm just having a hard  
time with this, because I realize we have to  
8           have it to prevent abuse, and subsistence  
is -- we like to tell everybody that it's  
9           fishing for our families. I mean, so, we  
have to remember that. I mean, isn't that  
10          what subsistence is?

          I'm having a hard time with this  
11          because of just -- it seems to me, I'm just  
sitting here right now thinking it's all  
12          words because it depends on what you do with  
it. I recognize that we have to have these  
13          regulations, but if you think about it in  
the whole context of fishing in Alaska, you  
14          just have to laugh because -- and you just  
have to do what you got to do. You know,  
15          those of us who don't have subsistence  
practices, at least I do, my friends do, my  
16          family does.

          But -- so, do you have to put  
17          Federally qualified subsistence user in  
there? Could I just get some subsistence  
18          fish for my family who is a rural resident  
without feeling like I'm illegal or  
19          something? I mean, I don't know.

20          MR. LOHSE: You're not.

21          MS. SWAN: Okay.

22          MR. LOHSE: Even under this law  
here, you're not. When you're bartering,  
23          you're trading. There is no limit on trade.  
This is talking about cash sales only.

24          MS. SWAN: Well, I just hope that  
25          we remember that we really believe it when  
we tell everybody that subsistence is for

1 feeding our families and for sharing.  
Especially when we get into the discussion  
2 about money, because I am -- I think there  
should be certainly a limit on the amount of  
3 money that you can get. Money itself,  
recognizing that it does cost money to get  
4 the fish.

Thank you.

5  
MR. LOHSE: Anybody else have any  
6 comments on this first section?

Roy?

7  
MR. EWAN: Mr. Chairman, I was  
8 just wondering about how this is going to  
be, I guess, enforced. How are we going to  
9 know what's going on? Have you discussed  
that area at all?

10  
MR. LOHSE: Pete?

11  
MR. PROBASCO: Mr. Chair, Roy,  
12 yes, we have discussed it and you've pointed  
out very well some of the problems of not  
13 having a monitoring system established.  
Anytime you develop a regulation that  
14 encompasses such a broad and difficult topic  
around it, it's a stepwise procedure, and I  
15 view this as step one in trying to define  
what the original drafters meant by defining  
16 customary trade.

The next steps in the years to  
17 come is to deal with the problem areas, like  
you articulated very well, Roy. What do we  
18 do with the people that are abusing? How do  
we monitor? How do we keep tabs on it? I  
19 admit, it's not defined in here.

What it does give enforcement  
20 right now is through their contacts in local  
communities from that feedback, identifies  
21 users, then it's up to enforcement to go  
through their process of collecting the  
22 information and to enforce the regulation on  
those abusers. But to go the step that --  
23 or the path that you're going down, I think  
is still down the road, yet.

24 It's not in this regulation, but  
it does give enough meat for enforcement  
25 to -- if there are some abusers out there,  
to go after them and collect the needed

1 information.

Mr. Chair?

2

MR. LOHSE: Thank you, Pete. We  
3 talked about this. Basically, what's going  
to have to happen is the communities  
4 themselves are going to have to look and  
say, this person's -- it's not -- you're not  
5 going to be able to enforce this on somebody  
that is just a little bit illegal, but  
6 somebody who makes a practice of totally  
abusing the privilege that they have right  
7 here. The community is going to have to  
say, you know, if you keep this up, we're  
8 going to go to enforcement and we're going  
to have you, you know, enforced because  
9 you're so far out of line you're endangering  
the rest of us. It's actually -- in my way  
10 of thinking, it's actually more of this  
becomes a community way of thinking. We  
11 want to take the fish for ourselves, but  
you're allowed to sell some of them. But if  
12 somebody in the community is making a big  
business out of it, you can say, no, that's  
13 against the law.

But I see it as a nightmare for  
14 enforcement myself. It's a total nightmare  
now because there's no guidelines now.

15

MR. EWAN: Mr. Chairman, the  
16 reason I'm asking is I might be able to  
suggest something like: One is, random  
17 count of fish, you know, fishwheel catch, so  
forth. I don't know if that's being done  
18 presently, but I haven't seen anybody going  
around to the fishwheels and counting the  
19 fish. That leads me to believe that a lot  
of people are not reporting actually what  
20 their real catch is. I always come back  
from the fishwheel and tell my wife how many  
21 I caught, and she's the one that takes care  
of the records.

But, I know that -- I think I've  
22 stated this at previous meetings, and that  
is I've seen fishwheels running for days and  
23 days. I'm talking about a whole month or  
so. If I had my fishwheel running that  
24 long, I would have enough to feed 100  
people, but these are non-Natives that live  
25 on the Copper River. They leave the

1 fishwheels going day after day nonstop.  
Where are all the salmon going? That  
2 particular area I'm talking about is an old  
Native fishing area. We know that's a good  
3 fishing area.

I would suggest maybe something  
4 like a random count once in a while to see  
that you're accurately reporting to cut down  
5 on abuses.

I know that might be a little  
6 difficult sometimes. I know in our area, we  
usually go down with the boat, a trip, once  
7 a week or so, look at the salmon and see how  
many are in the area.

8 MR. LOHSE: Thank you, Roy.  
9 Fred?

10 MR. ELVSASS: Yeah, the  
regulations you're working on here, are they  
11 going to be statewide or are they going to  
be by areas?

12 MR. LOHSE: Pete?

13 MR. PROBASCO: Mr. Chair, Fred,  
14 yes, to both of your questions, they are  
statewide, and if the Regional Council  
15 elects can recommend to the Federal Board  
specific regulations that apply to their  
16 area. What the Task Force did is we worked  
hard on this, and we came to the realization  
17 that the best approach is to get this draft  
language out to the Councils to address it  
18 statewide, and if there are specific areas  
that the Councils are concerned that either  
19 the Task Force wasn't aware of or wanted  
more feedback, for instance, like southeast  
20 hooligan, it's more appropriate to come to  
the Council as a whole than the one person  
21 serving for that Council.

So, yes, you have the latitude to  
22 refine this for the Southcentral Region,  
make those recommendations.

23 Mr. Chair?

24 MR. LOHSE: Carl?

25 MR. JACK: Mr. Chairman, I  
just -- I attended, for example, Seward

1 Peninsula Regional Advisory Councils and we  
discussed this. What they did was the --  
2 they will recommend that the dollar amount  
be knocked off, be like A-11 -- between  
3 rural residents and others, their preference  
was no dollar, and if there has got to be  
4 one, they would be the ones to make that  
recommendation, recognizing that there's  
5 regional differences. So that's what they  
did.

6  
MR. LOHSE: So, Carl, if I  
7 understand you right, Seward Pen basically  
liked 11 and the last part there's no choice  
8 on, because that's State law. And on the  
center part, they suggested that each region  
9 comes up with their own dollar limit?

10 MR. JACK: That's true.

11 MR. LOHSE: I like the  
12 suggestions. I wish in a way this couple of  
suggestions had been made here today would  
13 have answered some of the worries that were  
expressed at the Task Force meeting. I  
14 really like the suggestion of putting the  
fact that at least 50 percent of the fish  
15 have to be retained for personal family use,  
because that -- that answers the idea behind  
16 subsistence that it's for the family first  
or, you know, or for community family,  
17 whatever you want to call them, but the idea  
is to take fish for food.

And I would suggest that if  
18 that's agreeable to the rest of this  
Council, that we submit that as a suggestion  
19 to the Task Force that that be added to  
Section 11 and if we would like to take a  
20 vote or consensus on that, we can do that,  
but at least 50 percent of all salmon taken  
21 are kept for the family's personal food.

To me, that would answer some of  
22 the fears of somebody just jumping in.

Ann?

23  
MS. WILKINSON: I'm sorry to  
24 interrupt, Mr. Chairman, but as a member of  
that Task Force and having sat there for a  
25 long time at these meetings I have a  
question. I would like to know if this

1 change to the first part about the 50  
2 percent is suggested for this region or for  
3 a statewide basis? Because something of  
4 significance would be -- certainly, the  
5 whole state, they would need to see it, and  
6 I'm sure they will, but I just wanted to  
7 know if you were making that suggestion on a  
8 statewide basis or the Southcentral Region.

9 MR. LOHSE: I think we're making  
10 it for consideration on a statewide basis.  
11 Aren't we, Roy?

12 MR. EWAN: Not really, myself. I  
13 go along with the Council members if that's  
14 what they want. I like the idea that Carl  
15 mentioned about each region setting its own  
16 limits, maybe the percentage could be set by  
17 each region throughout.

18 MR. LOHSE: Okay. That's a good  
19 idea.

20 That would be -- then we could  
21 put it in there as suggested for  
22 Southcentral Region and we would suggest  
23 that other Councils consider setting a  
24 percentage for their own region. And the  
25 reasoning behind it is that fish should be  
used for food first before trade.

Okay.  
Now, if we add that and like Fred  
said, replace "rural" with Federally  
qualified subsistence users, we've discussed  
that, but I think that that would be more  
acceptable to this Council too, wouldn't it?

MR. JOHN: You can put it in  
italics.

MR. LOHSE: In italics, whatever,  
but that it's there.

(Laughter.)

MR. LOHSE: I don't think we have  
to take a vote on this. We can do it by  
consensus, or do we need to take a vote on  
something like this?

MR. PROBASCO: Mr. Chair, I think

1 the process we're working with right now --  
2 for the committee, I have both identified  
3 and Ann has as well. You're on the Task  
Force so you're going to make sure they're  
there when we meet again. They're covered.

4 MR. LOHSE: Are these two  
5 suggestions agreeable to all Council  
members?

6 MR. ELVSASS: Fine with me.

7 MR. EWAN: Mr. Chairman, I just  
8 want to be sure that this happens.

9 MR. LOHSE: It's in the minutes.  
10 It's going to happen. He's got it. He's  
going to take it there.

11 MR. EWAN: If it takes a motion  
to do that, I'd like to do that.

12 MR. LOHSE: Would you like to  
13 make a motion?

14 MR. EWAN: Make a more formal  
motion.

15 MR. LOHSE: Do that.

16 MR. EWAN: I'll move that -- the  
17 first part --

18 MR. LOHSE: At least 50 percent  
19 in Southcentral Region, at least 50 percent  
of all salmon taken are kept for the  
family's personal food.

20 MR. EWAN: Okay. And leave it up  
21 to the other regions to set their own  
percentage.

22 MR. LOHSE: Suggested the other  
23 regions -- they set their own percentage.

24 MS. SWAN: And dollar amount.

25 MR. LOHSE: This is on the first  
part right here. It's just the idea that  
the salmon needs to be taken for family food

1 first before you trade or barter.

2 Okay. Then we also wanted to --  
3 I don't know if we need a motion on the part  
4 about including in italics or putting in  
5 Federally qualified.

6 MR. EWAN: Mr. Chairman, I know  
7 now what I was thinking about. That is Carl  
8 suggested that each region set their own  
9 limits on the dollar amount, and that's -- I  
10 wanted to make it all -- both on the  
11 motion --

12 MR. LOHSE: We can do that on the  
13 next section.

14 MR. EWAN: Okay. Thank you.

15 MR. JACK: Mr. Chairman,  
16 correction. I just made a statement what  
17 happened at the Seward Pen, rather than a  
18 suggestion.

19 MR. LOHSE: It wasn't a  
20 suggestion, it was what Seward Pen did.  
21 Seward Pen did that.

22 So, okay. Let's take a vote,  
23 then on adding the -- in Southcentral -- do  
24 we have a second?

25 MR. ELVSASS: I said do you  
26 have --

27 MR. LOHSE: Do we have a second?

28 MS. SWAN: I'll second it.

29 MR. LOHSE: It's been moved and  
30 seconded that we recommend to the Task Force  
31 that in Southcentral at least 50 percent of  
32 all salmon taken are kept for the family's  
33 personal food.

34 MR. ELVSASS: Sounds good to me.

35 MR. LOHSE: All in favor.

36 COUNCIL MEMBERS: Aye.

37 MR. LOHSE: All opposed.

1           That's our recommendation on  
2           No. 11.

3           And do we want to make a formal  
4           one on the Federally qualified subsistence  
5           users, Fred?

6           MR. JOHN: No.

7           MR. LOHSE: We've told Pete that,  
8           he's got it down in his notes.

9           Now, we go to Section 12 and this  
10          is where Seward Pen said that they thought  
11          that every region should make their own cap.

12          This is customary trade between rural  
13          residents and others. This includes people  
14          who live in town, tourists, anything like  
15          that. Somebody who is not a qualified rural  
16          subsistence user.

17          In other words, they're selling  
18          to somebody who is not a subsistence user.  
19          It says customary trade and barter for fish  
20          legally taken under Federal subsistence  
21          management regulations between a Federally  
22          qualified user and others is also permitted  
23          as long as the total amount of cash or value  
24          sold by each family member for salmon does  
25          not exceed \$1,000 annually.

26          Again, what you were talking  
27          about before, Roy, that \$1,000 cap is for  
28          each family member. If you have five family  
29          members on your subsistence permit, you can  
30          sell \$5,000 worth of fish to others that  
31          aren't subsistence users.

32          There was a lot of struggle on  
33          what kind of number to put in there. People  
34          wanted to make legal what's currently being  
35          done, like at AFN and places like that, and  
36          at the same time, they wanted to make it  
37          small enough that it didn't attract people  
38          into going into business.

39          So, what's our feeling on this as  
40          Southcentral?

41          Who wants to start. Roy?

42          MR. EWAN: Mr. Chairman, I think  
43          I know you people have probably discussed  
44          this already, but I don't have a particular  
45          figure, but I think there should be a  
46          figure. I have no problem with \$1000 if  
47          somebody else doesn't have a problem with  
48          that.

1 I just don't like to be talking  
2 about something that I know you people have  
3 discussed, and kind of agreed to something  
4 already, and I don't want to change your  
5 mind because --

6 MR. LOHSE: We haven't --

7 MR. EWAN: You have more in-depth  
8 information than I do.

9 MR. LOHSE: We haven't as a  
10 Council discussed it. That was a discussion  
11 that took place at the Task Force.  
12 Basically from our direction, the only thing  
13 that I presented to the Task Force was the  
14 idea that was presented earlier in the --  
15 when we discussed customary trade and  
16 barter, and Gloria mentioned that we didn't  
17 want to make it something that would attract  
18 others into a -- strictly for a business.  
19 And at that time, a figure that was thrown  
20 around was like \$500, and I think, if I  
21 remember right, Bristol Bay suggested \$400.  
22 There was suggestions, if I remember right,  
23 between 400 and unlimited. You know. And  
24 as a Task Force, we came up with \$1,000 per  
25 family member.

But, this Council has not made a  
statement one way or another on it. That's  
why it's here in front of us; as a Council  
do we feel a need for a cap? And if we do  
feel a need for a cap, as you've expressed,  
what cap would be acceptable to this  
Council?

Fred?

MR. JOHN: I don't have any  
problem with this right here, \$1,000.

MR. LOHSE: You don't haven't any  
problems?

MR. JOHN: 20 years ago it would  
have been big money then.

MR. LOHSE: Fred?

MR. ELVSASS: I need to get  
something clear here. You say \$1,000 per

1 person. Family of five can sell \$5,000  
2 worth of fish?

3 MR. LOHSE: That's as it's  
4 written.

5 MR. ELVSASS: I would really  
6 suggest that you look at something like  
7 maybe \$1,000 for head of household and  
8 something in the lesser amount for  
9 dependents. I don't know, you know, how  
10 workable or how enforceable this is going to  
11 be; but, again, well, you start talking  
12 \$5,000 worth of fish, right now with a  
13 fishwheel going, what's your limit? 500?

14 MR. EWAN: I don't think there's  
15 a limit. I don't know what the limit --  
16 whether they put a limit on it, but you take  
17 a certain amount that you want; ours is  
18 usually 500. We never get near that. You  
19 leave it open for 500. Where you get them,  
20 where you process them. When I get more  
21 than I need, I shut it off.

22 MR. ELVSASS: Well, anyway, that  
23 bothers me because I could see this -- I  
24 thought we just resolved in the first  
25 section coming to get us on the monetary  
value.

26 I think \$1,000 is a realistic  
27 number, but not \$5,000, or 6,000. And I  
28 just -- I don't know. What do -- what are  
29 you guys' thoughts?

30 MS. SWAN: Mr. Chairman, I was  
31 thinking the same thing. Maybe -- I  
32 don't -- I think \$1,000 for head of  
33 household sounds okay, and perhaps, because  
34 it could go as high as 9 and I know people  
35 who could do like 10 if they have children  
36 and other family members, I mean, in their  
37 households.

38 So, maybe there could be a lower  
39 figure for other family members. I think  
40 there should be.

41 MR. LOHSE: Clare just says --  
42 just as a clarification not proposing  
43 anything or anything, a family, as defined

1 in this term right here -- a family is  
2 defined in the regulation to mean all  
3 persons related by blood, marriage, or  
4 adoption, or any person living within the  
5 household on a permanent basis.

6 In other words, a family is any  
7 group of people living together. And so, a  
8 family could be one, a family could be 21.  
9 Part of the reasoning behind it was that the  
10 larger the family, the more people you had  
11 to prepare things, and the more people that  
12 you had that were going to, you know, need  
13 the economic gain from it, and I think that  
14 was the reason that family was included in  
15 there.

16 Pete, am I correct on that  
17 assumption?

18 MR. PROBASCO: Yes, Mr. Chair,  
19 the Task Force wrestled with how to make it  
20 more equitable between small family size and  
21 large family size recognizing that a larger  
22 value is needed to support a larger family  
23 versus a smaller family.

24 Mr. Chair?

25 MR. LOHSE: Thank you, Pete.

MR. EWAN: Question about the  
Task Force and the process that you used,  
was that kind of a closed meeting or open to  
the public for public comment or what?

MR. PROBASCO: Open.

MR. LOHSE: It was an open  
meeting. There was some public there, but  
not much at different times, if I remember  
right.

Pete?

MR. PROBASCO: Mr. Chair is  
correct. It was open to the public.  
Attendance was small. We had  
representations from AFN, various fishery  
organizations and just the general public.

MR. LOHSE: And, again, the Task  
Force did recognize the different areas and  
different Councils had different needs and

1 different fisheries, and that's why it was  
2 put in here that Regional Councils may  
3 submit proposed monetary caps during the  
4 fall meeting. In other words, we recognize  
5 that different places are going to have  
6 different impacts and different needs, and  
7 that's why this is a -- for lack of a better  
8 way of putting it, this is a suggested  
9 number, this is not a firm number. This is  
10 a suggested number. And it could be lower,  
11 it could go higher. It could be like Fred  
12 was saying, you could say head of the  
13 household and X amount for less than head of  
14 household.  
15 Roy?

16 MR. EWAN: Mr. Chairman, one  
17 thing I have a question about is have you  
18 discussed fair market value of the salmon?  
19 Are we talking about to give away here? You  
20 can give all of your catch and say an amount  
21 to \$1,000?  
22

23 MR. LOHSE: No -- we did discuss  
24 it. Pete can correct me if I'm wrong. We  
25 said the only market value is what you sold  
26 it for. If you gave a piece of fish away,  
27 that doesn't count. You can give all the  
28 fish away that you want. You can trade all  
29 the fish that you want. The only thing that  
30 was counting was this \$1,000 and this is  
31 between others, is if you sold something for  
32 cash. That's what this is dealing with,  
33 which is customary trade, which is for sale  
34 for cash.

35 MR. EWAN: The reason I ask this,  
36 Fred can sell his for 50 cents; I can sell  
37 mine for \$5 apiece. I get a better value  
38 for my fish than he does, and I think that's  
39 an area that we should discuss sometime in  
40 the future. To me, Fred has given it away  
41 for less --

42 MR. LOHSE: Fred has the right to  
43 give his fish away. Fred can give his fish  
44 away for nothing.

45 MR. EWAN: To nonrural areas?

1 MR. LOHSE: Yeah, to anybody. He  
2 can give his fish away if he wishes to. And  
3 so he's a poor businessman to give them away  
4 for 50 cents when you're giving them away  
5 for 5, but by law, he can give his fish  
6 away.

7 MR. EWAN: Okay.

8 MR. LOHSE: For nothing, or for  
9 anything.

10 So, what this is dealing with,  
11 this is dealing with how much does he  
12 receive? In other words, it was basically  
13 putting a cap on what he could receive. I  
14 mean, that's -- we're dealing within the  
15 ramification of what Federal law is, not --  
16 I mean, we're recognizing the problems  
17 inherent in it, but there's nothing we can  
18 do about the problems. Pete, I expect you  
19 to correct me if I say something we haven't  
20 discussed or these are things -- these are  
21 all things that came up that we couldn't  
22 come up with an answer to them.

23 Thank you.

24 Roy?

25 Fred?

MR. ELVSASS: Yeah, I just -- you  
know, in response to that, as long as the  
dollar cap is there, I just have to sell  
more fish than you do to reach the amount.

But in regards to giveaway, you know, I put  
up and give fish to my mother-in-law, and I  
think it's great. It keeps peace in the  
family.

(Laughter.)

MR. LOHSE: Carl?

MR. JACK: Yeah, Mr. Chairman,  
for the record, the initial conclusion of  
the Task Force was not to have any dollar  
amount, but to them it would mean going back  
to square one. So, the last day was when  
they set the dollar amount.

MR. PROBASCO: That's correct.

1           MR. LOHSE: Basically, they felt  
2 that without a dollar amount we were right  
3 back to where we were before we started. We  
4 haven't defined significant commercial value  
5 in any way, and so, basically, we were at  
6 where we are right now, which is anybody can  
7 sell anything they want in any amount they  
8 want.

9           So, it's up to us as a Council to  
10 decide whether in our area it is or is not  
11 worth having a dollar amount to keep from  
12 inviting people to abuse the system or  
13 whether we feel that we should just stay  
14 where we're at which has no dollar amount  
15 and hope nobody abuses the system.

16           MR. ELVSASS: Mr. Chairman?

17           MR. LOHSE: Yes, Fred.

18           MR. ELVSASS: I was just talking  
19 to Fred here. You know, this is most likely  
20 to occur in the Copper River drainage than  
21 in Cook Inlet, and I don't see it as a  
22 problem at this point in the Cook Inlet -- I  
23 hope it gets to be a problem in Cook Inlet,  
24 then we're doing our job. I think maybe we  
25 should just leave the recommendation and see  
and we can address it later if it gets to be  
a problem.

          You know, that would be my  
recommendation.

          MR. LOHSE: Would you make the  
motion to the effect that -- I don't know if  
we have to recommend what the consensus is  
at this point in time. We'll support A-12.

          MR. ELVSASS: Mr. Chairman, since  
we're not recommending a change --

          We don't need a motion.

          MR. LOHSE: The consensus is that  
A-12 can stand as it is until further --

          MR. JOHN: Until problems arise.

          MR. LOHSE: Until problems arise?  
Is that an agreeable consensus with all the  
Council members?

1           Okay. That's an agreeable  
consensus with all the members.

2           Again, there's -- we can't do a  
lot for the last and that no parts of  
3           fishery business -- that is written into the  
license. It says if they hold a license, it  
4           says they can't purchase, trade, or barter  
for subsistence-caught fish. I think that  
5           part -- do we still need to recommend that  
as it stands?

6           Pete?

7           MR. PROBASCO: Yes, Mr. Chair, if  
you recall, we had a solicitor at our  
8           meetings and he wasn't too sure but  
recommended that we include this language  
9           for the possibility that you had a processor  
that was strictly on Federal waters, Federal  
10          lands, et cetera, was unsure, but this makes  
it very clear and prevents any potential  
11          loopholes.

          Mr. Chair?

12          MR. LOHSE: Okay.

13          In that case, as a Council, what  
is our consensus on this last part?

14          MR. ELVSASS: Fine with me.

15          MS. SWAN: Very good, yes.

16          MR. LOHSE: Roy?

17          MR. EWAN: Okay.

18          MR. LOHSE: Okay. Well, then,  
19          that takes care of us in this department.  
What we have is we have a schedule of how  
20          it's going to work. We also will have  
another opportunity -- two more  
21          opportunities to comment on this, and --  
before it goes through.

22          MR. EWAN: Mr. Chairman --

23          MR. LOHSE: Roy?

24          MR. EWAN: Carl has passed this  
25          out --

1 MR. JACK: I didn't get that.  
Say it again.

2 MR. EWAN: This handout here,  
3 what is this showing us? What are we  
supposed to gain from this?

4 MR. JACK: Just provided for your  
information.

5 MR. LOHSE: Roy, I can tell you  
6 one comment that was made on it. This is at  
the same time that they had closures on  
7 subsistence Yukon dogs. And the same time  
the subsistence community wasn't getting  
8 Yukon dogs, they were advertised in the  
Cabela's catalog.

9 That was part of it, wasn't it,  
Carl?

10 MR. JACK: That was part of what  
11 initiated the discussion on having the  
regulation.

12 MR. LOHSE: With that, what time  
13 do we have -- is it lunchtime?

14 MS. SWAN: Yeah.

15 MR. ELVSASS: Quarter to 12:00.

16 MR. LOHSE: Quarter to 12:00?  
Let's adjourn -- let's recess  
17 until quarter after 1:00. At this point in  
time we'll come back, we have -- we have the  
18 office of subsistence management, agency  
report. We've got the Bureau of Land  
19 Management; we've got the Forest Service; we  
go on to election of officers; we're going  
20 to cover some new business and establish a  
time and a place of the next meeting; and  
21 depending on how long-winded everybody is  
this afternoon, we'll see whether we get out  
22 by 5:00 o'clock.

23 MR. PROBASCO: Mr. Chair, you  
just overlooked it. I have about a  
24 two-minute presentation, during the Council  
on halibut --  
25

MR. LOHSE: Thank you, let's do

1 that before we take off. He's a got a  
2 two-minute presentation on subsistence  
3 halibut to go through.

I didn't see that.

3 Let's take it. It's a two-minute  
4 presentation. We'll take it.

5 MR. PROBASCO: Can I get five?

6 MR. LOHSE: Five is fine too.

7 MR. PROBASCO: Mr. Chair, this  
8 presentation is just intended to bring the  
9 Regional Council up to speed on the issue of  
10 subsistence halibut. Federal subsistence  
11 law received three proposals related to  
12 halibut for consideration for 2002 fishing  
13 regulations. These proposals are being  
14 withdrawn or deferred from consideration by  
15 the Board at this time pending clarification  
16 of Board jurisdiction and limitation  
17 procedures. The Management of Halibut is  
18 governed by the International Halibut Treaty  
19 and the North Pacific Halibut Act for  
20 jurisdiction of the United States resting  
21 with the Secretary of Commerce. Title VIII  
22 of the National Interest Lands Conservation  
23 Act does not supersede nor modify the North  
24 Pacific Halibut Act. At this time there are  
25 legal uncertainties regarding whether the  
Federal Subsistence Board can actually  
implement subsistence halibut regulations  
and if they can whether these regulations  
will have to go to the International Halibut  
Regulation for approval. Upon the issues,  
proposals dealing with halibut will be  
reexamined for proposal processing and  
potential action.

Mr. Chair, as you're aware, the  
North Pacific Management Council is  
currently working on subsistence  
regulations. They've been on it for public  
review for quite some time now. They're  
meeting right now in October to fine-tune  
those. However, final action is not slated  
until December here in Anchorage on those,  
and there's a briefing in the paper that  
lays out those halibut regulations. I don't  
think I need to go into any detail at this  
time.

1           The take-home message that I'm  
2 trying to provide you is that we have had  
3 proposals from the public to deal with the  
4 subsistence halibut. However, the Board is  
5 uncertain at this time if they can legally  
6 do it, take them up. That's being  
7 researched by the various solicitors, and  
8 right now those proposal are not before us  
9 and being taken.

          Mr. Chair?

10           MR. LOHSE: Thank you. Any  
11 questions for Pete on that? That's pretty  
12 self-explanatory. Until the North Pacific  
13 Halibut Commission and the solicitors decide  
14 that it's legal for us to have halibut  
15 subsistence, it will just be tabled.

16           MR. PROBASCO: That's correct,  
17 Mr. Chair.

18           MR. LOHSE: Questions for Pete?  
19 We've already taken five minutes,  
20 so let's make it 20 after 1:00.

21           (Lunch break.)

22           MR. LOHSE: We'll call this  
23 meeting of the Southcentral Regional  
24 Advisory -- Subsistence Regional Advisory  
25 Council back to session.

          We are to the Regional Council  
Review and recommended changes, if  
necessary.

          Turn to Tab H.

          Okay. As we go through this,  
this is just kind of a review, and we need  
to either recommend changes or leave it as  
it is. And this goes through the charter  
that we operate under, official designation  
is Southcentral Subsistence Regional  
Advisory Council. The objective of the  
Council is to provide an administrative  
structure that enables rural residents who  
have personal knowledge of local conditions  
and requirements to have a meaningful role  
in the management of fish & wildlife and of  
subsistence uses of those resources on  
public lands in the region and that  
automatically means Federal public lands.

1           Period of Time Necessary for the  
2 Council's Activities and Termination: The  
3 Council is expected to exist into the  
4 foreseeable future. Its continuation is,  
5 however, subject to rechartering every  
6 biennial anniversary of the Alaska National  
7 Interest Lands Conservation Act of December  
8 2, 1980, and biennial means every two years,  
9 right?

10           MS. WILKINSON: Uh-huh.

11           MR. LOHSE: The Council will take  
12 no action unless the requirements of the  
13 Federal Advisory Committee Act have been  
14 complied with.

15           If I come across something that  
16 needs changing or clarifying, say so.

17           The Council -- Official to Whom  
18 the Council Reports: The Council reports to  
19 the Federal Subsistence Board Chair, who is  
20 appointed by the Secretary of Interior with  
21 the concurrence of the Secretary of  
22 Agriculture.

23           Support Services: The U.S. Fish  
24 & Wildlife Services, Department of the  
25 Interior, will provide administrative  
support for activities of the Council.

          Duties of the Council: The  
Council possess the authority to perform the  
following duties: 1, initiate, review and  
evaluate proposals for regulations,  
policies, management plans, and other  
matters relating to subsistence uses of fish  
and wildlife on public lands within the  
region; 2, to provide a forum for the  
expression of opinions and recommendations  
by persons interested in any matter related  
to the subsistence uses of fish and wildlife  
on public lands within the region; 3, to  
encourage local and regional participation  
in the decision-making process affecting the  
taking of fish and wildlife on the public  
lands within the region for subsistence  
uses; 4, to prepare an annual report to the  
Secretary containing the following: An  
identification of current and anticipated  
subsistence uses of fish and wildlife  
populations within the region; an evaluation  
of current and anticipated subsistence needs

1 for fish and wildlife populations within the  
2 region; a recommended strategy for the  
3 management of fish and wildlife populations  
4 within the region to accommodate subsistence  
5 uses and needs and, four, recommendations  
6 concerning policies, standards, guidelines  
7 and regulations to implement the strategy;  
8 5, to appoint one member to the  
9 Wrangell-St. Elias National Park Subsistence  
10 Resource Commission and two members to the  
11 Denali National Park Subsistence Resource  
12 Commission in accordance with Section 808 of  
13 ANILCA; 6, to make recommendations on  
14 determinations of customary and traditional  
15 use of subsistence resources; 7, to make  
16 recommendations on determinations of rural  
17 status. That's what we did with the Kenai.  
18 But, again, like it says, we make  
19 recommendations. We don't pass them.

20 8, to provide recommendations on  
21 the establishment and membership of Federal  
22 and local advisory committees.

23 The Council will perform its  
24 duties in conformity with the Operating  
25 Manual for Federal Subsistence Regional  
26 Advisory Councils.

27 Which we've received.

28 7, Estimated Operating Costs:  
29 Annual operating costs of the Council are  
30 estimated at 100,000, which includes one  
31 person per year of staff support.

32 8, Meetings: The Council will  
33 meet at least twice each year at the call of  
34 the Council, Council Chair, Federal  
35 Subsistence Board Chair, or designated  
36 Federal officer, with the advance approval  
37 of the Federal Subsistence Board or the  
38 designated Federal officer, who will also  
39 approve the agenda.

40 9, Membership: The Council's  
41 membership is as follows: Seven members who  
42 are knowledgeable and experienced in matters  
43 relating to subsistence uses of fish and  
44 wildlife and are residents of the region  
45 represented by the Council.

46 The Secretary of the Interior  
47 will appoint members based on the  
48 recommendations of the Federal Subsistence  
49 Board and with the concurrence of the  
50 Secretary of Agriculture.

1           Vacancy: Whenever a vacancy  
2 occurs among Council members appointed under  
3 paragraph 9, the Secretary will appoint an  
4 individual in accordance with paragraph 9 to  
5 fill that vacancy for the remainder of the  
6 applicable term.

7           Terms of Office: Except as  
8 provided herein, each member of the Council  
9 will serve a three-year term unless a member  
10 of the Council resigns prior to the  
11 expiration of the three-year term or he or  
12 she is removed for cause by the Secretary  
13 upon recommendation of the Federal  
14 Subsistence Board. Members will be notified  
15 of their appointment in writing. If  
16 resigning prior to the expiration of a term,  
17 members will provide a written resignation.

18           Chair: Council members will  
19 elect the chair for a one-year term.

20           Removal of Members: If a Council  
21 member appointed under paragraph 9 misses  
22 two consecutive regularly scheduled  
23 meetings, the Chair or the Federal  
24 Subsistence Board may recommend that the  
25 Secretary of the Interior with the  
concurrence of the Secretary of Agriculture  
remove that individual.

          Compensation: Members of the  
Council will receive no compensation as  
members. Members will, however, be allowed  
travel expenses, including per diem, in the  
same manner as persons employed  
intermittently in government service are  
allowed such expenses under 5 U.S.C. 5703.

          No. 10, Designated Federal  
Officer or Employee: Pursuant to Section  
10(e) of the Federal Advisory Committee Act,  
the designated Federal officer will be the  
Federal Regional Coordinator or such other  
Federal employee as may be designated by the  
Assistant Regional Director, Subsistence  
Region 7, U.S. Fish & Wildlife Service.

          And 11, Authority: The Council  
is reestablished by virtue of the authority  
set out in the Alaska National Interest  
Lands Conservation Act, 16 U.S. Code 3115  
(1988).

          And the date this was signed was  
September 26th, 2000.

          Now, what do we need to do with

1 this other than -- do we need to take a  
2 motion on it, Ann, to either change,  
3 recommend changes, or to accept it as it is?

4 MS. WILKINSON: Mr. Chairman, no  
5 action is necessary unless the Council  
6 intends to make a change.

7 MR. LOHSE: Do any Council see  
8 any areas in this charter that they would  
9 like to change?

10 Hearing none, no action will be  
11 taken.

12 It's good to review it once in a  
13 while so, with that we will now go on to the  
14 next section on our agenda, which is  
15 reports. And the first report we have is  
16 office of subsistence management.

17 Partnership and fisheries  
18 resource monitoring.

19 Steve Klein?

20 MR. KLEIN: Thank you, Mr.  
21 Chairman. There is a handout on the  
22 "Partners for Fisheries Monitoring Program,"  
23 and that is at Tab I, and there's also a  
24 handout on the back table. I'm Steve Klein,  
25 the Chief of Fisheries Information Services,  
26 which is within the office of subsistence  
27 management, and fisheries Information  
28 Services or FIS is responsible for  
29 implementing the fisheries resource  
30 monitoring program, and yesterday you heard  
31 Doug McBride describe accomplishments in  
32 2000 and 2001, and also presented  
33 recommendations on the monitoring program  
34 for 2002. And also we're quite fortunate to  
35 have Bill Simeone present some of the  
36 findings of the monitoring studies. We also  
37 had Bruce from the Native Village of Eyak  
38 and Michael Link, and some of the  
39 investigations that are being conducted for  
40 the monitoring program. We had an  
41 opportunity to present some of those  
42 findings.

43 Probably the biggest area where  
44 we're lacking or we want to improve upon in  
45 terms of the monitoring program is local  
46 rural and Tribal involvement in the  
47 monitoring program. And this was envisioned

1 by the Secretaries of Interior and  
2 Agriculture that we would build capacity in  
3 rural areas in terms of fishery  
4 professional -- professionals,  
5 anthropologists, contracts, local hires.  
6 That's always been envisioned as a part of  
7 the program. And the way we are now  
8 intending to implement that is the  
9 Department of Fisheries Monitoring Program.

10 Today I just want to provide a  
11 brief summary of where we're at with the  
12 partners program. There's really no action  
13 that the Council needs to take, but we view  
14 this as a very important program to get  
15 rural involvement in the program -- for the  
16 monitoring program, which is your program so  
17 we want to make sure that you're abreast of  
18 where we're at with this.

19 The Partners for Fisheries  
20 Monitoring Program, what we intend to do is  
21 hire up to 10 positions with two thirds of  
22 those fish geologists and the other one  
23 third anthropologists to work for the  
24 monitoring program. These would be  
25 non-Federal employees. They'll work for the  
organization that submits applications and  
their functions are really going to assist  
with developing projects for the monitoring  
program, implementing projects in terms of  
the issues and the information needs that  
are -- exist within all the different  
regions of the state. They'll play a role  
in developing those, community outreach and  
education. There's a function there. Some  
of the results you heard yesterday were  
getting -- we're getting those findings out,  
but to really get them out in the  
communities and let the successes be known,  
that's an area we can improve upon.

26 Training, bringing fisheries --  
27 fishery geologists -- three biologists,  
28 getting them through school and providing  
29 mentoring programs, that will be a function  
30 of these partners' positions.

31 And then just kind of overall  
32 coordination of management, working with the  
33 Councils, working with my staff within the  
34 monitoring program. And in-season managers,  
35 there's a loss of coordination. That can  
occur and these positions will really be

1 critical for that. We're looking to fill  
2 ten positions, including Southcentral is one  
3 of the areas that is designated as well as  
4 kind of the whole Arctic-Kotzebue-Norton  
5 Sound, the Yukon River, Kuskokwim River,  
6 Bristol Bay and the Peninsula, including  
7 Kodiak and Southcentral, so we're looking at  
8 all five of those areas to fill positions  
9 here as quickly as possible.

10 One area that we're not pursuing  
11 positions is Southeast Alaska, and the  
12 Forest Service and Department of Agriculture  
13 really hasn't been funded to fill partners'  
14 positions, so until they're fully funded,  
15 we're not looking at Southeast Alaska at  
16 this time.

17 In your handout, there is a  
18 schedule, and this is the schedule that  
19 we're on. We issued a call for proposals.  
20 This goes out to lots of rural and Tribal  
21 organizations where we're requesting  
22 proposals from entities to hire these  
23 positions and make them -- make them  
24 available for the partners program and the  
25 monitoring program.

1 We issued that call back on  
2 August 15th and gave them about two months  
3 to prepare applications, get letters of  
4 support from villages and Tribal groups, and  
5 actually we've extended that deadline. It  
6 lists that proposals are due to OSM by  
7 October 10th. We've changed that to  
8 November 10th due to a request from a lot of  
9 entities asking for more time to develop  
10 cooperative proposals to fill these  
11 positions.

12 So, proposals are now due by  
13 November 10th. We'll have an evaluation  
14 panel meet. Your handout says November  
15 15th, we'll be shooting for December 15th  
16 now, but the intent is still to have these  
17 positions hired and in place with the  
18 organizations by May 15th.

19 In terms of mechanics, what we're  
20 looking at is five-year cooperative  
21 agreements to fund these positions. We  
22 really view this as a long-term program and  
23 we want to really see that it's the success  
24 we envision, we're probably looking 10, 20,  
25 30 years down the road. We'll do this in

1 five-year chunks with cooperative  
2 agreements, and hopefully by the time the  
3 field season fishing season starts next May.  
4 These positions will be in place, and that  
5 concludes my presentation. I'll be happy to  
6 answer any questions.

7 Mr. Chair?

8 MR. LOHSE: Steve, I've got a  
9 couple of questions on that. Basically,  
10 what this looks like to me is that there's  
11 going to be ten positions and after the call  
12 for proposals, these ten positions will be  
13 with those -- with the -- either the tribe  
14 or the village or the organization that gets  
15 those positions for the next five years. Is  
16 there going to be any opportunity for -- I  
17 mean, I don't see anything in here for  
18 expansion or for a continued -- so it's  
19 almost like the groups that get their  
20 proposals in by this November are the only  
21 groups that are going to be able to work  
22 with this program for the next five years.

23 MR. KLEIN: Mr. Chair, there  
24 are -- it would have to be a quality  
25 proposal that is funded. If it's a proposal  
26 that we don't think is going to be  
27 successful, we're not going to go down that  
28 path. To me, these positions are something  
29 to build upon. I would hope two, three  
30 years down the road we're going to -- we'll  
31 have some success -- as we have success in  
32 these positions, there will be opportunities  
33 to get more funding to build more positions  
34 and, you're right, I don't think ten  
35 positions are going to cover this whole  
36 state. I think it's something to build upon  
37 and hopefully there will be 20 positions in  
38 five years, but in terms of the initial ten  
39 that are filled, we will make sure they're  
40 quality applicants that will have success so  
41 that we can build upon it.

42 Mr. Chair?

43 MR. LOHSE: Thank you, Steve.  
44 One other question. Where it says the  
45 applicants are the village or the tribe or  
46 the community that makes the application --  
47 am I correct? That's the applicants?

1

MR. KLEIN: That's correct.

2

MR. LOHSE: Then it says they'll hire a professional fishery biologist or social scientist. Are we hoping that they can hire from their own community, I mean from kids that have gone to school or something like that, or are they going to be expected to hire fishery geologists or social scientists from out of the community?

7

MR. KLEIN: Mr. Chair, ideally, we would want them to come from within the community and I think we will see some proposals like that. Otherwise, they will go to outside entities to really -- to get a fish biologist or social scientist.

10

Another part of this program is the internship program. They'll be required to bring either undergraduate or graduate students in as interns during the summer or during the whole year so that we are bringing people up through the system to have what you envision there, people from the local community hired as professionals for the village or the Tribal organization.

14

Mr. Chair?

15

MR. LOHSE: Thank you. Thank you, Steve.

16

Any questions for Steve? Any

17

other questions for Steve on this?

18

Thank you, Steve, I don't hear any -- Roy?

19

MR. EWAN: One question quick, that is you mentioned ten, possibly ten positions being filled and you mentioned five geographical locations or areas. Are you going to try to give equal opportunity to those geographic areas to get those people, or just these ten people are going to all five geographic areas. I didn't quite understand that.

24

MR. KLEIN: Mr. Chair, and Roy, I probably glossed over that real quickly.

25

Each region, we're trying to get the applicants to represent the whole region,

1 either with the fish biologist or  
2 anthropologist. In your case it would be  
3 Southcentral which will cover Prince William  
4 Sound, Cook Inlet. Ideally, they'll  
5 represent the whole region. They're  
6 certainly not going to represent the whole  
7 state, but we also would take applications  
8 from a portion of a region. But we want  
9 them -- they are geographically based.  
10 They'll either represent the whole region,  
11 Southcentral Region, in your case, or a  
12 portion of the region; and in terms of  
13 ranking those, we will give higher priority  
14 if they're going to represent the entire  
15 region given we have limited funding. To  
16 cover all of Southcentral, the region you  
17 have, I mean, you probably, ideally would  
18 really want three or four positions to  
19 really build capacity and improve the focus  
20 of the monitoring program. But we don't  
21 have money to fund three or four positions  
22 in Southcentral, if that answers your  
23 question, Mr. Chair.

13 MR. LOHSE: Thank you, Steve. I  
14 think one of the things -- there's five  
15 geographic areas represented and there was  
16 going to be ten positions, and I don't know  
17 if that's what Roy was asking, but that was  
18 the same question that I was thinking, are  
19 we going to try to divide those ten  
20 positions into the five geographic areas, or  
21 are we going to take the ten best proposals  
22 even if five of them come from one region?  
23

19 MR. EWAN: Mr. Chairman, that  
20 pretty much was my question, but I also  
21 asked whether we're talking about the ten to  
22 assist all of them -- all the areas, you  
23 know, there's five proposals -- are you  
24 saying that you can fund only one? Or can  
25 you fund all five geographic regions'  
26 proposals?

23 MR. KLEIN: Mr. Chair and Roy, we  
24 will fund up to ten positions -- this is  
25 uncharted territory, but at least in my  
26 opinion we would try to get at least one  
27 position in each of the five geographic  
28 areas and then that still leaves up to five

1 more, and -- I think our intent is to go  
kind of the way -- FIS projects are  
2 disbursed so the Yukon and Kuskokwim River,  
it seems there's more projects implemented  
3 there. There's more controversy. There's  
more subsistence needs that aren't being  
4 met. I would suspect that the Yukon and  
Kuskokwim would have more than one position,  
5 but at least in my mind, we will try to get  
one position in each of the five geographic  
6 areas and then probably select the top five  
after that.

7  
MR. LOHSE: Thank you, Roy.  
8 Any other questions for Steve?  
Thank you, Steve.

9  
MR. KLEIN: Thank you.  
10 Federal/State relationships. I  
think we've seen you before.

11  
MR. PROBASCO: This is the last  
12 time. I'm a Federal employee.

13 (Laughter.)

14 MR. PROBASCO: Mr. Chair, this  
will be very brief. It's to bring the  
15 Council up to speed and up to date on the  
Federal/State Coordination. And if you look  
16 under Tab I, page 2 you'll see the written  
summary. During the February/March 2001  
17 Regional Council meetings ADF&G found it  
necessary to significantly reduce their  
18 involvement in Council deliberations due to  
the lack of Federal funding for staff  
19 resource. Moreover, State resource  
professionals were unable to continue to  
20 participate in the Federal/State memorandum  
of agreement working group efforts to  
21 develop protocols.

In May, funding issues were  
22 resolved for the balance of the calendar  
year. Additional funding for liaison and  
23 staff support for overall coordination and  
cooperation is a high priority for the  
24 Federal subsistence program. We anticipate  
additional funding to be available to the  
25 State for such support in 2002 and beyond.  
We are again engaged in full

1 coordination. And recent discussions with  
2 both Federal Subsistence Board Chair Mitch  
3 Demientieff and ADF&G Commissioner Frank Rue  
4 reaffirmed full support for continuing  
5 coordination and cooperation between Federal  
6 and State programs. ADF&G are here in  
7 attendance and the working group at the end  
8 of August to address how to get the  
9 protocols back on the track. By the time of  
10 February and March of 2002, we hope to  
11 provide you with a schedule to complete the  
12 protocols.

13 Mr. Chair, both the Federal,  
14 State and Federal side MOA group met again a  
15 week ago and we are on track in developing  
16 protocols and hope to have action taken on  
17 them in April and May.

18 Mr. Chair?

19

20 MR. LOHSE: Thank you. Any  
21 questions for Pete?  
22 Fred?

23

24 MR. ELVSASS: The protocol you're  
25 developing, is this for Federal/State  
management of Federal lands or all lands?

26

27 MR. PROBASCO: Mr. Chair, Fred,  
28 very good question. Actually there's a  
29 multiple of protocols being developed. One  
30 definitely addresses fishery management  
31 plans and specifically they're working on  
32 various management plans for specific river  
33 drainages. For example, the Yukon is the  
34 first one that they're undertaking which  
35 will address how the State and the Federal  
36 agencies will work together to the best that  
37 the regulations allow them to on managing  
38 these fisheries.

39

40 The next in the hopper for  
41 management would be an overall umbrella  
42 protocol called "State Fishery Management  
43 Protocols." However, both the size of the  
44 M -- sides of the MOA group view that  
45 possible -- there is no guarantee, but this  
46 is one that was discussed, the Copper River  
47 will be very similar to the Yukon protocol,  
48 very major river with many users and Federal  
49 and State lands as well.

50

Other protocols being developed

1 on how to coordinate the two regulatory  
2 bodies, the State Board of fisheries and the  
3 Federal Subsistence Board that's being  
4 working on and how to share information.  
5 The State of Alaska has a lot more data on  
6 fisheries and harvests and uses, et cetera,  
7 and the Federal Government needs that  
8 information to successfully carry out their  
9 program for development of a protocol, how  
10 to share that information.

11 Mr. Chair?

12 MR. LOHSE: Thank you.  
13 Any other questions?

14 MR. ELVSASS: Yeah. We have a  
15 terrible situation in Cook Inlet because of  
16 the State lands and then throughout the area  
17 there are several small personal use  
18 fisheries, the south end of the Kenai  
19 Peninsula. What I view as the ideal  
20 situation is if we could get a co-management  
21 program working, maybe after you get the  
22 protocol that could be addressed, but the  
23 Cook Inlet area as a whole, the Cook Inlet  
24 drainage in the Kenai Peninsula needs to be  
25 looked at as a whole not in little segments  
like it is today. We have right now a  
fishery in Seldovia for 200 kings, but  
everybody in Alaska that's a resident, rural  
resident or just a resident could come and  
fish there. And that really doesn't do the  
area any good. But, you know, that's what I  
would like to see worked out is where we can  
get the Tribes and Federal Government and  
the State of Alaska at the same table to  
look at the fisheries area as a whole,  
which, I guess, when you work on the Yukon  
drainage you're certainly going to have a  
lot of Tribal input there. But I just  
wanted to state that and see what are your  
thoughts.

26 MR. PROBASCO: Mr. Chair, Fred,  
27 the MOA group consists of 11 individuals and  
28 what you identified is a task that  
29 definitely will be undertaken but it's down  
30 the road. You can imagine that trying to  
31 address the entire state is not going to  
32 happen overnight, so it's done in a stepwise

1 fashion. Yukon definitely has been the most  
2 contentious issue because of lack of salmon,  
3 et cetera. That's obviously the first one  
4 taken on.

5 Our priorities will lay out in --  
6 how priorities will lay out in future years  
7 will be based on those 11 individuals  
8 working out and deciding where we should put  
9 our emphasis on other river drainages. Cook  
10 Inlet is definitely an area that is not  
11 going to be overlooked.

12 Mr. Chair?

13 MR. LOHSE: Thank you Pete. Any  
14 other questions?  
15 Roy?

16 MR. EWAN: Mr. Chair, I don't  
17 know if it's a proper time, I recall hearing  
18 Charlie Edwardsen, the guy that testified  
19 yesterday, the three-mile limit beyond that,  
20 200 mile limit, something about subsistence.  
21 And is this something that we should know  
22 about or be concerned about? I could see  
23 his point now that I know up there in the  
24 Arctic they go way out on the ice way beyond  
25 the three-mile limit. I hope there is no  
restriction on their ability to subsist  
there. I don't know why he made that  
comment. I was just wondering if anybody  
ever talked about that?

MR. LOHSE: Pete?

MR. PROBASCO: Mr. Chair, Roy, I  
too was confused about the comment, three  
miles and beyond it 200. I wouldn't want to  
guess the point he was trying to make. As  
far as up North and the Arctic, there is no  
restrictions on their ability to subsistence  
harvest beyond three miles if they so  
choose.

Mr. Chair?

MR. LOHSE: Thank you, Pete.  
Any other questions?  
Thank you.  
Okay. I think Carl,  
compensation.

1 MR. JACK: Mr. Chairman, members  
2 of the Council, it's been put on the table a  
3 copy of the letter or rather a memorandum  
4 from the Chairman of the Federal Subsistence  
5 Board to the Secretary of Interior on the  
6 compensation issue. As you will note in the  
7 letter, it's dated October 2. We drafted  
8 the letter back last spring and it went  
9 through a lot of reviews going back and  
10 forth within -- within OSM. Recently, the  
11 staff committee reviewed the letter and as  
12 well as the people from the solicitor's  
13 office. What you have is the final -- final  
14 document that resulted from all the reviews.

15 The request for compensation  
16 focuses on 805, Section 805. As you will  
17 note on the first page, it cites Section 805  
18 establishes a unique standard of deference  
19 for the recommendations of the regional  
20 Advisory Councils and the -- and the public  
21 law, it's phrased there.

22 Secondly, it also addresses on  
23 the second page, the unique level of  
24 responsibility of the Regional Advisory  
25 Councils, and also paraphrases what's in  
your charter that you reviewed earlier.

26 And it also addresses the fact  
27 that the statutory responsibility of the  
28 Regional Advisory Council has increased  
29 substantially with the expansion of the  
30 Federal Subsistence Management Program to  
31 include subsistence fisheries since October  
32 of '99.

33 The initial draft focused  
34 primarily on Section 805, and it was felt  
35 that during the review that we should not  
36 put everything in one basket so to speak on  
37 805. So additional justification was added.

38 That's on page 3. The fact that Congress  
39 recognized the value of subsistence users  
40 that should be included in the management  
41 decisions. The fact that the users through  
42 the Regional Advisory Council bring their  
43 expertise and knowledge -- to add to the  
44 scientific method of fish & wildlife  
45 management. So, this is for your  
46 information. It does not require action  
47 from the regional -- from the Regional  
48 Council. It's provided for your information  
49 and it has been mailed today.

1           That concludes my presentation,  
2           Mr. Chairman.

3           MR. LOHSE: Thank you, Carl.  
4           It's a very well-written letter.

5           MR. JACK: Thank you. Attached  
6           to that is the fiscal -- fiscal notes that  
7           are attached to the....

8           MR. LOHSE: I think you've  
9           expressed a lot of the things that have been  
10          expressed time and time again by Council  
11          members very well. The lost opportunities  
12          for either wages or subsistence activities  
13          or whatever that are taking place because it  
14          is a totally different situation than they  
15          have down in the Lower 48.

16          Has everybody had a chance to  
17          look this over, read it?

18          MR. JOHN: Yes.

19          MR. LOHSE: Did anybody have  
20          anything they wanted to add to it, or do you  
21          think they did a good job doing it?

22          MR. JACK: Mr. Chairman, this is  
23          not the first time the requests have been  
24          made, and it's not been approved by the  
25          previous Secretaries. Hopefully this letter  
26          will convince the Secretary to provide  
27          compensation for the members.

28          MR. LOHSE: I haven't got much  
29          confidence in that part, but I do say that  
30          this is the best -- the best and most  
31          compelling letter or thing that we've  
32          submitted, you know, from the past. So, you  
33          know, like I said, I don't have a lot of  
34          confidence that the Secretary will go along  
35          with it, but at the same time I think you  
36          did a good job in the way it's being  
37          submitted.

38          MR. JACK: Thank you.

39          MR. LOHSE: Is that in  
40          concurrence with the rest of the Council?

1 MS. SWAN: Yeah.

2 MR. ELVSASS: Yes. Very good.

3 MR. LOHSE: Maybe we need to each  
4 write him an individual letter.

5 Okay. With this we're going on  
6 to halibut, the little short one on halibut.

7 Oh, Pete -- okay. I was looking  
8 at this one right here. So if you guys want  
9 to look at the halibut there, it's on page 3  
10 in the section that we're in and you can  
11 look at that as individuals. He did point  
12 out that everything is on hold right now.  
13 Everything's on hold right now until the  
14 National -- North Pacific Fishery Management  
15 Council makes a decision, but some of the  
16 provisions of the draft regulations were  
17 kind of interesting, and you might want to  
18 take a look at those for your own  
19 individual -- it seems the last two that  
20 were kind of interesting, no

21 subsistence-taken halibut could be retained  
22 on the vessel at the same time as commercial  
23 halibut are being retained and no  
24 subsistence-taken halibut could enter the  
25 commercial market and customary trade of  
halibut would be limited to an annual  
maximum of \$400. They did limit that to  
halibut.

With that, we're going on to the  
Bureau of Land Management.

17 MR. DENTON: My name is Jeff  
18 Denton. I represent the Anchorage field  
19 office of the Bureau of Land Management.

20 I'm not in the position to speak for the  
21 folks at Glennallen, where probably most of  
22 you have more issues with BLM. This is kind  
23 of an update and kind of the initial  
24 information process. We're going to  
25 start -- BLM, the Anchorage field office, is  
starting what we call a resources management  
plan that covers actually an area that spans  
portions of four subsistence regions. One  
of which is the Southcentral; and the areas  
of the Anchorage field office managed within  
Southcentral consists mostly of basically  
the leftovers, the rocks and ice, the  
military reserves, scattered tracts, and

1 split mineral estate in the Mat-Su and  
around the Cook Inlet.

2 The major subsistence areas that  
are available under the definition of  
3 Federal public lands are west of Cook Inlet,  
the Chakachamna Lake area of the Alaska  
4 Range and Blockade Glacier, Blockade Lake,  
which is also kind of a rocks and ice area  
5 over back on that side.

This is an initial information  
6 thing. You folks will all be put on a  
mailing list for the mailings of input  
7 should you choose to have input either  
personally or from the folks you represent  
8 or from the Council. This time line for  
this thing is going to extend probably over  
9 the next four years in terms of input and  
this sort of thing. So there's lots of  
10 time. Subsequent meetings to this one we  
will try to give you very brief updates on  
11 that activity. Subsistence will be one of  
the items that has to be covered within  
12 these land use plans. Other than that, we  
don't have any real current subsistence  
13 issues within the Anchorage field office  
administered lands at this time.

14 Mr. Chair, that concludes  
basically all I have right now. If there's  
15 some questions, I will be certainly glad to  
entertain them.

16  
MR. LOHSE: Thank you. I take it  
17 for granted you probably read the National  
Geographical article on BLM?

18  
MR. DENTON: Yeah.

19  
MR. LOHSE: It was kind of  
20 interesting what you spend per acre versus  
what Forest Service spends per acre. It was  
21 very informative. BLM spends off the top of  
my head I'll say, \$3 an acre. Forest  
22 Services spends \$7 and Parks Service spends  
\$12.

23  
MR. DENTON: In Alaska we have  
24 one person for every million acres.

25  
MR. LOHSE: Just don't run up the  
bill by writing on too much paper.

1

MR. DENTON: Cut more trees.

2

MR. LOHSE: Okay. That was not a slam on the other departments. That was just a commentary on the thin budget the BLM has to work on.

3

Okay. I have National Parks Service, Wrangell-St. Elias.

4

MR. VEACH: Mr. Chairman, Eric Veach with Wrangell-St. Elias. Let me start out by denial, I may spend \$12 an acre. Our parks certainly do not.

5

MR. LOHSE: You spend 18, right?

6

(Laughter.)

7

MR. VEACH: I'll present both the overall park report followed by my fish report and then I'll pass the mic to Mason Reid to provide a wildlife report. We spent a lot of time working on section 17(b) east lands into the park and preserve. Our primary goal is to maintain access to public lands and we're definitely anxious to hear comments about historic use of 17(b). We're doing the best to document past use.

8

We've had several new staff to the park in the past six months or so. We have a new wildlife biologist, Mason Reid, who will follow me. Arvid Hogstrom, introduced himself earlier, Australian exchange program. We sent our geologist, Andy Rosencraft, to Australia. We're still looking for a cultural anthropologist. He returned to his clan members and left us.

9

We're looking at filling that position soon. I've been fortunate enough to add two more fisheries geologists to my staff, Milo McCormick and Sandy Scott.

10

The visitors should be ready to move in this spring. We've had some construction problems, a few problems with the water system. The out -- most of the outside is done, and they're working on the inside over the winter.

11

I want to share a few notes about SRC workshops. We also discussed a

12

1 regulation that would require a minimum  
2 residency requirement in a resident-zoned  
3 community to participate in subsistence  
4 activities on the park. With the Wrangell,  
5 SRC is discussing a minimum of one-year,  
6 continuous residency. Right now there's  
7 definitely a concern that folks may move  
8 into a resident-zoned community, say in  
9 early August and that makes them eligible to  
10 hunt later that month. They stay until the  
11 end of the hunting system. They return to  
12 Anchorage or Fairbanks. The way the  
13 regulation is written currently there's  
14 nothing that prevents them from being able  
15 to do that and legally hunt. So the minimum  
16 of a one-year continuous residency  
17 requirement would help alleviate that. A  
18 person would have to move in the community,  
19 spend a year there before they could  
20 actually hunt within the park.

21 We also discussed the concept of  
22 a National Parks Service roster where we  
23 actually document individuals within each  
24 community that possess customary and  
25 traditional use for the resources within the  
park, and the park -- basically the overall  
consensus of the group was that the park  
would still like to stay away from that  
situation because of the tremendous amount  
of work and it's just not something we  
really need to -- see the need for at this  
point.

17 We're also in the process of  
18 actually publishing the final draft rule to  
19 add the five additional resident-zoned  
20 communities to the park. There was some  
21 environmental assessments that were created  
22 a few years ago and made the decision to add  
23 the communities, and it's taken this long  
24 from making the decision to publishing the  
25 document in the Federal Register.

Next meeting will be in Chitina.

22 We haven't set a date yet, but it's going to  
23 be some point in February.

23 I'd like to move into a summary  
24 of our fisheries work that we completed this  
25 summer in this field season. At -- really  
at the start of season it was towards the  
end of April, we received a request to close  
the commercial hooligan fishery at the Mile

1 27 Bridge in the Copper River and this  
2 request was from the Native Village of Eyak  
3 and essentially, probably the biggest part  
4 of their concern was we really didn't have  
5 enough information to effectively manage a  
6 commercial hooligan fishery within the  
7 Copper River; and certainly when I received  
8 the request, my first response was you're  
9 definitely right. I wasn't aware that we  
10 had a commercial hooligan fishery in the  
11 Copper River until I received a request to  
12 close it. We worked with ADF&G and OSM  
13 staff here in Anchorage to analyze the  
14 effects of this fishery on hooligan, and you  
15 folks probably know about hooligan.  
16 They're -- they're definitely a difficult  
17 species to manage. They're not necessarily  
18 like salmon, that salmon essentially return  
19 to their native areas to spawn. The same  
20 population returns every year or four years  
21 to spawn in the same area. Smelt don't  
22 necessarily do that. Just because you have  
23 a strong population in a system one year  
24 doesn't necessarily mean that after the  
25 progeny have reared into the adults and run  
to spawn, they won't necessarily return to  
the same area to spawn. The fact they're  
not returning doesn't necessarily mean the  
population is weak. It means the population  
has gone somewhere else, presents a little  
challenge to fisheries managers.

Essentially what we looked at is  
we wanted to take a look at the effort in  
this fishery. We felt if the effort was  
low, it would be difficult to harvest the  
hooligan. That was the best toolbox we had  
at the time to evaluate the fishery. We  
hired a local hire, woman in Cordova. I  
also traveled to Cordova, spent a few days  
monitoring the fishery. It's a small  
fishery that occurs right underneath the  
Mile 27 Bridge on the Copper River, three or  
four individuals with dip nets dipping fish  
off of one bank of one channel and those  
fish are placed on kind of a conveyer belt  
and essentially carried up into a tote in  
the back of the truck and transported to the  
cannery.

But at the Mile 27 Bridge,  
there's three channels present there, and so

1 we felt that with the small amount of effort  
and like I said -- there was hooligan  
2 present in each of the channels, and the  
small amount of effort that occurred with  
3 just three to four individuals fishing on  
one bank at a time, they certainly weren't  
4 able to fish anywhere near 24 hours a day.  
We didn't feel that that level of effort  
5 really put the fishery at risk. So we made  
the decision to keep the fishery open. The  
6 fishery lasted about 14 days and harvested,  
I believe it was approximately 78 tons of  
7 hooligan.

But on the other hand, I just  
8 wanted to mention we did still think that  
the concern as presented was valid. It  
9 certainly -- it was -- as we observed the  
fishery, it was enough of a concern. It was  
10 worth our time and effort to monitor the  
fishery and we intend to do the same thing  
11 again this year.

With that, I'll move on to our  
12 steelhead monitoring project Doug McBride  
mentioned yesterday. I think Doug kind of  
13 really explained the project, essentially  
involves operating fishwheels on the Copper  
14 River in the Glennallen Subdistrict early in  
the season, basically when the Federal  
15 season is open to estimate the amount of  
steelhead harvest. We did have two wheels.  
16 We had a little trouble early in the season  
with ice coming down the stream and also  
17 with muddy access. We thought that was  
pretty representative of probably what the  
18 rest of the users were facing at the same  
time. It was definitely difficult to  
19 operate a fishwheel early in the season.  
May 20th, May 23rd, we were able to get the  
20 wheels in. We didn't catch any steelhead in  
either of the fishwheels. We felt this was  
21 a pretty good sample. We operated two  
wheels; we flew the river three times to  
22 count the number of wheels operating during  
that period. The highest number of wheels  
23 operated at any one time was four wheels.  
We were sampling 50 percent of the wheels in  
24 the Copper. The fact that there is none,  
represents that there is essentially not any  
25 problem with the steelhead by extending the  
situation by two weeks. That project is for

1 another two weeks. We're doing it this  
2 spring and next spring as well to see if we  
3 have similar results.

4 Another project I wanted to brief  
5 you on is our Tanada Creek weir project.  
6 Doug mentioned that project yesterday. This  
7 year the return to the Tanada Creek weir was  
8 256 salmon. This is the fifth year that a  
9 wheel has been operated on Tanada Creek.  
10 There's been done -- certainly not one every  
11 year, but on a pretty regular basis from  
12 1962. Presenting the weir counts and the  
13 aerial counts, it was potentially within the  
14 lowest 10 percent of runs occurred in that  
15 system since about 1962 which is a little  
16 bit of a concern to us in that, you know, we  
17 heard earlier this morning, there was at  
18 least an average if not above average return  
19 to the Copper River this year, based on the  
20 sonar estimates. Certainly in Slana River,  
21 downstream from Tanada Creek there appeared  
22 to be average return of fish. We don't  
23 really know what caused a very low run at  
24 Tanada Creek. Certainly several  
25 possibilities, kind of a representation of  
26 how many variation do occur within that  
27 stock. In the past we've seen as many as  
28 28,000 fish that have escaped up Tanana  
29 Creek.

30 Another project that we are doing  
31 that wasn't directly related to subsistence  
32 but it's certainly provided some additional  
33 information, in managing subsistence in the  
34 future, particularly in regards to  
35 freshwater fish, the inventory program, went  
36 across the park looking at distribution of  
37 freshwater species throughout the park. We  
38 were able to sample about 14 different  
39 watersheds. We used a variety of methods,  
40 gill nets, electrofishing, hook and line  
41 sampling in both streams and river. We did  
42 find one range extension which is a prickly  
43 skulpin. That species hadn't been  
44 documented in that land appraisal that we  
45 expected to be in the park that hadn't been  
46 able to be documented. We were really  
47 pleased with the success of that project as  
48 well.

49 Mr. Chairman, that concludes my  
50 report.

1 Any questions for Eric?  
2 Fred?

3 MR. ELVSASS: The hooligan  
4 fishery, I wasn't aware there was a  
5 commercial fishery. Has it been going on  
6 very long? Do you know?

7 MR. VEACH: It has been -- I  
8 think this was the third year that there's  
9 been a commercial fishery there. It's  
10 really -- it's a commercial fishery, but  
11 it's also a test fishery utilized by ADF&G  
12 to try and gain additional information on  
13 the hooligan stock in Copper River.

14 MR. ELVSASS: 68 tons is a lot of  
15 testing.

16 MR. VEACH: Actually around 78  
17 tons.

18 MR. ELVSASS: You're right. Some  
19 years, they're there, and some years they're  
20 not.

21 Thank you.

22 MR. LOHSE: Thank you, Eric, I  
23 have just a couple of questions -- go ahead,  
24 Fred.

25 MR. JOHN: You know, I missed the  
26 Commission meeting last week at Mentasta  
27 after I invited you guys up, but I had a  
28 good excuse.

29 You guys discuss anything about  
30 the road down that way? We showed a movie  
31 on this last year about having a trail from  
32 the Tribal Council, and that road there that  
33 we use, you know for our culture camp, we're  
34 doing the same thing to that road. We  
35 showed what's being done to the trail in  
36 that movie and I was wondering if they  
37 started on grabbing into -- the progress?

38 MR. VEACH: We didn't actually.  
39 It's interesting, we didn't actually discuss  
40 that at the Subsistence Resource Commission  
41 meeting. I'm surprised we didn't now that  
42 you bring that up. We are still in the

1 process of deciding what would be the best  
2 approach for that trail. We looked at  
3 graveling just the entire trail, which is  
4 actually going to be tremendously expensive.  
5 I definitely learned quite a bit about trail  
6 construction across Tundra 46 type terrain  
7 as part of this project. We'd be looking at  
8 several hundred thousands to gravel it. In  
9 the process, too, we have to carve openings  
10 to probably turn around a dump truck and  
11 some of the concern with that, essentially  
12 by doing this, we'd be building a road into  
13 that site which might increase the use.  
14 That doesn't necessarily seem to be the best  
15 option. What we've been looking at instead  
16 is more of a site -- some sort of  
17 site-specific graveling, identify the real  
18 problem spots and maybe go in and lay down  
19 shoal textile-type cloth and place some  
20 gravel on top of it, so the boggy areas are  
21 protected and not additional damage there,  
22 but it would remain a rugged basic trail and  
23 wouldn't attract a lot of additional use.  
24 We're working on an environmental assessment  
25 for that. The only other information I have  
on that, it's sort of fallen to the side  
just with all the work that we do for the  
field season. Now we're back in the fall  
season. Folks are typically back in the  
office. We'll be picking up on it and  
working again with it through the fall.

17 MR. JOHN: Thank you.

18 MR. LOHSE: Eric, I have two  
19 comments: One is on the roster idea. We  
20 just went through some of the comments on  
21 names on fishwheels and one of the things  
22 that I could see would cause a real possible  
23 problem would be to have a roster of names  
24 of people who are allowed to hunt inside of  
25 a National Park. I can imagine certain  
groups getting ahold of those -- because  
once you've made the roster, it becomes  
public property under the Freedom of  
Information Act, and I can see certain  
groups getting ahold of that and just  
causing people a lot of grief, because even  
the idea of subsistence hunting in the park  
is not well accepted in a lot of areas, and

1 so if you had a roster of people who are  
2 qualified to hunt there, that would invite  
3 all kinds of -- who knows what it would  
4 invite, but it wouldn't invite anything  
5 nice.

6 MR. VEACH: I definitely agree.

7 MR. LOHSE: From that standpoint,  
8 about the time they were talking a roster, I  
9 think there would be a real lot of objection  
10 from the community at large because of fear,  
11 exactly that.

12 I hope I never see you having to  
13 do that. At least not that kind of thing.

14 The other thing is I heard 78,000  
15 tons of hooligan and I can understand that.  
16 I'm not sticking up for the hooligan fishery  
17 or anything like that, but if you come from  
18 most areas of the state and haven't seen the  
19 hooligan that come in the mouth of the  
20 Copper River, 78,000 tons --

21 MR. VEACH: 78 tons.

22 MR. LOHSE: I was thinking a  
23 thousand pounds. 78 tons sounds like an  
24 awful lot of fish, but when you go down  
25 there for two to three weeks straight and  
26 you see them coming up in a black streak  
27 along one stretch so thick that they're  
28 pushing themselves out of the water and you  
29 see three guys down there with dip nets  
30 taking a dip out of them every so often,  
31 it's hard to think of them as very many.  
32 The dead ones pile up five, six feet deep  
33 out of the mouth of the bottom. You put a  
34 net where the hooligans pile up. It's  
35 amazing the biomass. I'm not saying it's  
36 unlimited. I'm not saying 78 tons is a good  
37 or bad catch, but it's still one -- it's one  
38 of the areas in the state that has hooligan  
39 like there must have been in the old days.

40 MR. VEACH: I definitely agree.  
41 I didn't mention the nests that they -- nets  
42 these individuals are using. They're not  
43 nearly as large as what you would typically  
44 use to dip net salmon. With three or four  
45 folks, the fact that they could dip 78 tons

1 in that sort of time period to me suggests  
2 there's a tremendous biomass, at least this  
year, on that stream.

3 MR. LOHSE: Very small nets for a  
4 simple reason. The simple reason is when  
5 you scoop them through you can't pick them  
up if they're any bigger. It's that much --  
it's that many fish.

6 MR. ELVSASS: They gill in your  
7 dip net too. You're in trouble and have to  
clean the net holes.

8 MR. LOHSE: Most of the nets are  
9 15 inches in diameter, and quarter-inch mesh  
and it's amazing. We go down to get a pail  
10 full of hooligan, it takes two dips and it  
gives you five gallons of hooligan to take  
11 home. It's an amazing sight to see. They  
can see the seals and osprys that come and  
see them.

12 So, with that, any other  
13 questions for Eric?

14 MS. SWAN: How is the 20-Mile  
River hooligan? Do you know? Do you have  
15 any information over by Portage? Do you  
know anything about that?

16 MR. VEACH: No, I don't.

17 MS. SWAN: I just wondered how  
18 that was this year.

19 MR. VEACH: I might defer that to  
the Forest Service. I was a little out of  
20 my range being out of the 27-mile bridge.  
It's simply because it's the Copper River.

21 A SPEAKER: I'll report on that  
22 shortly. Lohse, that takes care of  
everything except for the Forest Service.

23 MR. LOHSE: The game report from  
24 Wrangell-St. Elias.

25 MR. JOHN: Break.

MR. LOHSE: Let's take the --

1

MR. REID: Mason Reid, I'm the  
2 new wildlife biologist for  
Wrangell-St. Elias. I've only been here two  
3 months. It's a very learning experience.  
One of my basic priorities, my highest  
4 priority is to both evaluate the assessment  
of population status for a variety of game  
5 species and then also to try to do a  
detailed analysis on the harvests within our  
6 boundaries, both subsistence harvest and for  
sport harvest. That way I can get together  
7 adequate information to properly manage  
these populations which I think some of the  
8 information has been lacking, and I hope to  
improve on that. As I said, it's one of my  
9 primary priorities right now.

Eric mentioned earlier, we have a  
10 graduate student from the University of  
Alaska, Fairbanks that is beginning a Dall  
11 sheep habitat project. Right now she's  
looking at habitat relationships of Dall  
12 sheep and relating that to population  
densities, sites, things like that. That's  
13 going to give us some information on both  
just biology of the species as well as  
14 additional information on habitat types and  
qualities so we can better assess the  
15 population. That's basically it for right  
now.

16 I'm sure I'll have more in the  
spring.

17

MR. LOHSE: Any questions?

18 There's some -- three other  
things you better look at for Dall sheep  
19 other than habitat, bear population, wolf  
population, coyote population. If you look  
20 at the whole range, the tremendous drop of  
Dall sheep populations where they haven't  
21 been hunted, you look at lamb survival,  
things like that, you'll find basically  
22 they're doing the same thing that our  
caribou are doing and our moose are doing  
23 there. We have no recruitment. We have no  
recruitment on moose, no recruitment on  
24 caribou in that section of Unit 11.

25 MR. REID: Yeah, one thing I'll  
be doing is looking at over 50 years of

1 survey data for Dall sheep through the area  
2 primarily of Unit 11. Looking at the value  
3 of that data, there's been different efforts  
4 involved, and also the results of that  
5 information, classifications, land use,  
6 ratios, as well as population sizes, and  
7 also the spatial distribution of these  
8 populations to -- try to get an idea of what  
9 kind of handle we have on these populations.  
10 And prey assessment, that's something else  
11 we're looking at. And right now we're  
12 looking at what's possible, what's doable  
13 and anytime you're looking at large species  
14 like that.

15 MR. LOHSE: Not much?

16 MR. REID: Only so much you can  
17 do. That is something that I'll be  
18 assessing all this winter and trying to get  
19 together some ideas for next year, and  
20 directing the entire wildlife program at the  
21 park.

22 MR. LOHSE: It's interesting  
23 because where we're losing our Dall sheep  
24 the most are not in the rugged mountains,  
25 but any of the mountainous areas that are --  
26 shall we say -- with less escape territory  
27 where we have more predator problems.  
28 That's where our Dall sheep populations are  
29 just crashing.

30 MR. REID: One way of coming to  
31 grips with that, not so much in coming to  
32 grips, hallucinating potential impacts and  
33 looking at the data we have and involving  
34 what mechanisms we have in directing that  
35 population in that area.

36 MR. LOHSE: Thank you.  
37 Roy?

38 MR. EWAN: I just wanted to  
39 comment. I didn't have a question. I  
40 guess, Ralph, you were around when we first  
41 began the Regional Council meetings and so  
42 was I, and I said at the very first meeting,  
43 I said at many subsequent meetings that we  
44 had a problem with predators over in the

1 Wrangell-St. Elias National Park. We're  
2 talking about it yet today, nothing is  
3 happening -- happened. I'm glad we are  
4 talking about it. I think it's a serious  
5 problem. It's a hardship on the people in  
6 the Copper River area, causes a hardship on  
7 the people, because we just let the wolves  
8 do what they want to over there. It has  
9 been like a sanctuary for wolves. The  
10 caribou population really went down over the  
11 years, since, say, about the middle '60s,  
12 drastically. I'm talking about practically  
13 zero now. You might see a moose here,  
14 there, when you used to see a lot of moose  
15 over in that area. In fact, a place that I  
16 hunt every year was called the moose camp.  
17 This year I didn't see a moose around there.

18 When I first went there 15, 16  
19 years ago, we'd see caribou walking by every  
20 day. Today you wouldn't see one caribou,  
21 and I kept saying year after year, the  
22 wolves are coming in the area, and you hear  
23 them hollering down here, over here, there  
24 at night, and we knew, the local people knew  
25 they were out there in the woods that that  
was the reason why the caribous were  
disappearing, because we see evidence of  
them killing the caribou along the creek  
beds, everybody, blood splattered all over  
the place, moose kills here and there.

16 I don't know what's going to  
17 happen in the future, but I just don't like  
18 the idea. I lived here all my life and that  
19 the bureaucrats let something like that  
20 happen. It just poor management, in my  
21 opinion.

19 Since this is my last meeting, I  
20 want to say that totally, I think it's very,  
21 very poor management that you allowed the  
22 moose, caribou, sheep to decline, the  
23 population to decline so badly when there's  
24 hardly any hunters over there. When there  
25 was a lot of hunters over there back in the  
'60s a lot of sheep, a lot of caribou, a lot  
of moose over there, enough for everybody.  
It's too bad today we have -- I can't get a  
moose over there, can't get a moose along  
the highway out there anymore. I go over  
there where it's so few people, you can't  
get a moose there or caribou or a sheep.

1 Thank you, Mr. Chairman.

2 MR. LOHSE: Thank you, Roy. That  
3 was brought to my attention also by another  
4 family from Copper Center that goes over  
5 there and they've gone to the same place for  
6 about 20 years and they said that about five  
7 years ago they quit seeing cows. And now  
8 they don't even see any young bulls. If  
9 they do happen to see a moose, it's an old  
10 mature bull. They did get an old mature  
11 bull this year. It was still healing up  
12 from its encounter with the bear. The hide  
13 was still torn out on the side of the neck  
14 and it had claw marks going down the  
15 shoulder. They figured probably they're not  
16 going to see much in the future. The game  
17 biologist over there says he just does not  
18 see any recruitment. There are no calves.

19 So, I know there's nothing that  
20 can be done about it. I guess we just like  
21 to put it on record, but it's going to be  
22 interesting to see what you find out on the  
23 sheep, because -- sheep, we've seen the  
24 sheep go down in our area. It's not wolves.  
25 We have a lot of coyotes living in our area.  
26 We used to have a range of hill that also we  
27 could count 2 to 400 sheep right close to  
28 home. It's 25 right now. They sure try to  
29 stay in the most rugged area, that you can  
30 say. In the wintertime, you find coyote  
31 skat with sheep fur. Some of us like Roy  
32 and I were lucky enough to be here in the  
33 years following statehood when the results  
34 of the U.S. Fish & Wildlife Services  
35 Predator Control in the late '50s were still  
36 being set in the area. I can remember --  
37 this is no joke, flying from my house to  
38 Mount Drum counting 227 bull moose in one  
39 flight along timberline to Mount Drum from  
40 Long Lake. We never bothered to count a cow  
41 or calf. We didn't count small moose. We  
42 weren't hunting -- these were bull moose we  
43 could spot from the air by the horns sitting  
44 out there. I would challenge you to fly  
45 that distance today and count ten total.

46 I would challenge you, the  
47 mountain across from our house right there,  
48 we counted 11 full-curl rams on there at one  
49 time. 3 to 400 sheep. I would challenge

1 you to count 30 sheep on that range. I  
mean, they're not there.

2 And, you know, I'm not advocating  
it, but I know it was a result of what went  
3 on by our Fish & Wildlife agent that was  
stationed out of Chitina back in the '50s,  
4 and his work in the Wrangells right there.  
We had a low predator population, but we had  
5 a high ungulate population. I'm not saying  
that's what we should have. The effect on  
6 the local people is dramatic.

I mean, we have probably less  
7 moose in the whole area than I counted bulls  
in one flight. And so it's had a dramatic  
8 impact. Roy is right. Roy has said it  
since he was on this Council. And we put  
9 implications -- we put regulations on the  
Mentasta herd. Mentasta herd was going  
10 down, we quit hunting on it. We put in a  
Mentasta herd plan, when it built up to a  
11 certain level, we have subsistence hunt on  
the Mentasta herd. There has been no  
12 subsistence take on the Mentasta herd. It's  
gone down downhill all the time. Like Roy  
13 says, we don't continue to get recruitment.  
The cows, the animals that are left are  
14 mature, unless there's a big influx. The  
Mentasta herd is going to be a thing of the  
15 past.

So, anyhow, enough said on that.  
16 We've said it before. We've said in our  
annual reports, and we're not -- we're not  
17 anti-wolf and anti-bear or anti-predator --

18 MR. ELVSASS: Oh, yes, I am.

19 MR. LOHSE: You are, Fred. I'm  
not. But subsistence people who want for  
20 food are finding them being fed something  
else.

21 MR. EWAN: We're not anti-wolf,  
22 but we're pro moose, caribou --

23 MR. LOHSE: That's a good way to  
put it, Roy.

24 Okay. Thank you.  
Forest Service?

25 MR. JOYCE: Did you want to take

1 a break?

2 MR. LOHSE: Let's take our break,  
3 yeah. That was enough rhetoric to last me  
4 for a long time.

4 (Break.)

5 MR. LOHSE: We now have the  
6 Forest Service report.

7 MR. JOYCE: Mr. Chairman, members  
8 of the Council, my name is Tim Joyce; Ken  
9 Holbrook got called away on business. We're  
10 kind of new kids on the block as far as  
11 subsistence is concerned. As I said, my  
12 name is Tim Joyce. I'm out of the Cordova  
13 office. I'd like to introduce two other  
14 members of the Forest Service. One is Rob  
15 Spangler. He was here last year. He now  
16 transferred into the subsistence operation  
17 or program.

18 The other is Milo Burcham. He's  
19 also in the Cordova office, and he also is a  
20 subsistence wildlife biologist.

21 As I said my name is Tim Joyce,  
22 and I'm a recently hired subsistence  
23 fisheries biologist for the Forest Service,  
24 which is in Cordova, Alaska. I've been  
25 delegated the in-season manager of Prince  
William Sound at this time. Our district  
forest ranger has moved. We're in the  
process of replacing him, and he was the  
delegated manager at that time.

I have over 25 years of fisheries  
experience in Alaska, and I just would like  
to go through some of the things, the  
subsistence fishery that occurred in some of  
the Prince William area and Copper River  
flats and talk about a couple of projects  
that we had ongoing there.

The subsistence salmon started in  
the marine water off the mouth of the Copper  
River at 12:01 a.m. on May 15th and  
continued until 7:00 a.m. that same day.  
And this -- after this seven-hour initial  
open period subsistence opportunities in  
marine waters occurred concurrently with the  
commercial salmon fishing periods which  
started on May 17th and were generally 12

1 hours in duration, two days a week.  
2 The subsistence opportunities in  
3 the marine waters of Prince William Sound  
4 started on May 15th in the Southwestern  
5 District which includes the Village of  
6 Chenega and in portions of the eastern and  
7 northern districts of Prince William Sound  
8 which includes the Village of Tatitlek.  
9 Subsistence fishing in these areas was seven  
10 days a week up until two days prior to the  
11 first commercial fishing salmon open period  
12 in the districts. After that time,  
13 subsistence fishing was concurrent with the  
14 commercial salmon open period. Subsistence  
15 fishing in what we call the Eshami (ph.)  
16 district occurred concurrently with  
17 commercial salmon fishing periods which  
18 started on May 17th. The numbers of salmon  
19 taken from the subsistence harvest in Prince  
20 William Sound is not available. The due  
21 date is October 31st. We won't have those  
22 until the end of the month or shortly  
23 thereafter.

24 So far there has been no problems  
25 identified by any of the subsistence fishers  
in Prince William Sound to me or to any of  
my associates for their harvests this year.  
It appeared there was adequate numbers of  
salmon and their subsistence needs were  
satisfied.

We had three projects that were  
conducted this year in Prince William Sound.  
I'm going to discuss two of them and Rob  
Spangler will discuss another one.

The department -- excuse me, all  
these projects -- the subsistence projects,  
the first project was a traditional  
ecological knowledge project and this was on  
hooligan. We had a Forest Service-funded  
project which did a survey on some of the  
Native households within the Cordova area  
and in the Village of Tatitlek and Chenega  
to try to get an idea of when hooligan were  
harvested and where they were harvested. We  
hope to use this data that we received from  
this study in this project that was  
discussed earlier that was approved for  
passing on to the Federal Subsistence Board  
for funding which was the FIS '02-075 which  
was at the hooligan harvest opportunities.

1           The second project was a new  
2 concrete substrate, again, this was funded  
3 with Forest Service money for the Miles Lake  
4 sonar. This particular project was  
5 discussed by Doug McBride earlier. I  
6 believe that he had talked about the Miles  
7 Lake substrate concrete. Substrate was  
8 being funded. This project is expected to  
9 be completed this fall. They're actually in  
10 construction right now. They have cleared a  
11 trail down to the site, and they have been  
12 making forms and getting the steel cut for  
13 the reinforcement of the concrete and set  
14 up. That we hope to be finished by the end  
15 of this month at the latest.

          Obviously, these -- this  
9 particular project will certainly aid us in  
10 the subsistence harvest or providing  
11 opportunities because as was stated the  
12 salmon that passed the sonar site at Miles  
13 Lake, the enumeration is what allows us to  
14 provide them from the upper river.

          Certainly numbers have to abound so a  
12 commercial fishery can occur, so we know  
13 what's going up the river to allow the  
14 harvest.

          That concludes our report. If  
14 there's any questions, again we're going to  
15 have additional people that are going to be  
16 doing more information on the 20-mile  
17 situation, and we also have the wildlife  
18 part.

          Any questions?

18           MR. LOHSE: Any questions?

          Maybe you can state for the rest  
19 of the Council, maybe you can give a little  
20 talk -- what that substrate entails and how  
21 that sonar work, because it all affects the  
22 upriver users, most of us downriver know how  
23 it works.

          Substrate is what is a base, a  
22 platform really to give a flat surface for  
23 the sonar counter to look back. Sonar is  
24 actually placed in the water. There's a  
25 short little weir that's kind of attached to  
26 force fish that are migrating upriver to go  
27 through the sonar stream. That will  
28 register a blip or a count on the counter.  
29 And the old substrate which is -- I don't

1 know how old it is now, maybe 20 years now,  
it's beginning to show its years in erosion.  
2 The last 75 feet of the substrate is  
basically gone, and there's a single --  
3 almost like a railroad track that's laid  
down the center of this thing that's got a  
4 roller on it that the substrate is attached  
to the substrate, but the sonar counter is  
5 attached too, so you can slide it in and out  
of the water easily to adjust the difference  
6 in the water levels. As the water comes up  
you can bring it up a little further. The  
7 new substrate is going to extend beyond  
where the old substrate is, slightly  
8 downriver, about 100 feet or 200 feet. A  
little bit longer, extend out in the water,  
9 during water conditions the sonar itself  
will be able to sit on the substrate and  
10 provide for easy counting. Excuse me.

The way it's done now is when the  
11 water level is low, the sonar is mounted on  
a tripod and again it's looking back up  
12 towards the bank. It will still register  
counts but it's a little more difficult  
13 because anytime there's a small chunk of ice  
coming off the glacier, it can knock the  
14 sonar over. It required someone to manage  
it. Early in the spring, usually if there's  
15 currents or trees like that coming down,  
it's a little problem. If it's mounted on  
16 the substrate, they can put up a little  
deflector that will help ice or anything  
17 like that from getting in.

It will be slightly down the  
18 river which will provide a little bit more  
protection because of the way the river runs  
19 and the ice flows.

Thank you --  
20 Thank you. Any other questions?  
Thank you.  
21 Rob?

22 MR. SPANGLER: Hello, Mr. Chair  
and Council, my name is Rob Spangler and I'm  
23 the subsistence fisheries biologist for the  
U.S. Forest Service out of Girdwood. I  
24 cover the western side of Prince William  
Sound and part of Kenai Peninsula as well as  
25 for Forest Service administered lands. I'll  
give briefly a synopsis of our monitoring

1 work done this year, and then also talk a  
2 little bit about the regulation changes that  
occurred.

3 We had a couple of monitoring  
4 projects, one that Tim alluded to which was  
5 the Coghill weir out in the western Prince  
6 William Sound and that was just an extension  
7 of the existing weir to collect a little  
8 more information on coho salmon in the area,  
9 and this year we had some problems with  
10 flooding, three times the weir was  
compromised. We still managed to get a  
11 minimum count of about 1300 coho which was  
12 up over last year's count around 700. We  
13 had some difficulties also with pinks, pink  
14 carcasses. We had over 150,000 pinks go  
15 above, and of course, after they spawned,  
16 they die off and stack up against the weir  
17 which created some problems as well.

18 We're looking into some way that  
19 we can alleviate those problems for next  
20 year.

21 The Eulachon Project went really  
22 well this year. The run was, again, much  
23 longer than -- than had been previously  
24 reported in other studies. ADF&G did some  
25 work on that river back in the '70s and  
26 they've judged the run to be about three  
27 weeks long, but we found the run may stay as  
28 long as two months. We had to kind of  
29 switch gears and condense the funding into  
30 two years to be able to cover that  
31 extension.

32 But realizing that it's important  
33 to finish out the project in that the  
34 results can be used in other systems, the  
35 Forest Service has agreed to fund the  
36 project for next year. So we will continue  
37 the project. We will continue with the life  
38 history portion. We will continue working  
39 on the larva sampling which we're using as  
40 an index to be able to tell what the  
41 population is doing from year to year. It's  
42 kind of an indirect way of looking at  
43 eulachon abundance. It's very difficult to  
44 enumerate these fish. There's been very  
45 little research done on them compared to  
46 salmon. The methods haven't been  
47 established, so we've been focusing our  
48 efforts on trying to do this. We can tell

1 what's going on in this river system and  
also to help other researchers as well.

2 We did put radio transmitters in  
the 108 eulachon this year and we found them  
3 moving as far as nine kilometers upstream.  
The data is still under analysis, but we had  
4 fish moving back and forth in front of other  
fishermen which is kind of a unique -- not  
5 unique to fish, but interesting observation  
for eulachon, so there's a portion of the  
6 population that probably does several  
multi-effort fishing effort on it.

7 And the larva sampling went  
really well. We used kind of a bongo net  
8 setup. We actually filter out the juvenile  
fish as they exit downstream, and we have a  
9 good sample size. What we're going to do  
with that then is look at the variation that  
10 has been occurring in that larva drift and  
then be able to take a subset of that,  
11 maybe, and hopefully reduce the amount of  
sampling time, you know, try to figure out  
12 what the most efficient sampling regimen  
would be to use that next year.

13 We also had another project that  
was related to subsistence but not funded by  
14 subsistence, and that was a fish inventory  
out in Prince William Sound, and we did  
15 inventory approximately 20 new drainages.  
We did document up to four new populations  
16 and some new Dolly Varden and coho  
populations as well. That's just kind of an  
17 effort that we're taking to be able to  
better describe the fishery resources out  
18 there for subsistence and also, you know,  
for other uses as well.

19 So, I'm going to switch gears now  
to wildlife. As you know, moose hunting in  
20 that portion of Unit 7 draining into Kings  
Bay was closed as part of a special request  
21 in June of this year. Moose numbers were  
very low and last year, or this year they  
22 only counted nine animals and three of which  
were bulls. So, the population was very  
23 low, and we plan to request a permanent  
closure in the area until such time as the  
24 numbers recover and we can, again, allow  
harvest.

25 So that concludes my report. If  
you have any questions, I'll be happy --

1

MR. LOHSE: Any questions, Fred?

2

MR. ELVSASS: No, sounds good to me.

3

MR. LOHSE: You said the hooligan moved up nine kilometers. That's how far they went up the river? That multiple they dropped back. Did they do this with the tide or did -- the drop back, was it a function of tide or did -- were the ones that brought back once it had spawned and they still went back forward?

4

MR. SPANGLER: We can't tell if they actually spawned or not. We monitored them once a day. We weren't able to correlate actual times of day. We went out at a similar time every day. Tides may not correlate with that. We did find, though, that some of the fish would move back and forth and then if the fisher came along, they would move upstream or the gravity of the river may have some influence as well. In the early season, we had a pretty dry spring, water levels are low and we did not have hooligan moving upstream. They actually extended our survey area and drove along the highway. The first five, seven months, something like that downstream of 20-mile River and the fish were actually moving out there and then moving back up into 20-mile and then even past the sample site and up to, we, believe, to spawn.

8

MR. LOHSE: You figure the spawning takes place about four-and-a-half miles up the river?

9

MR. SPANGLER: It takes place in various places from right near the mouth -- I believe some spawning actually occurs out in the inlet as well, because that's -- basically the salinities are very low out in the arm, and so, I think that, you know, with that basically being an extension of Placer Portage 20-mile, it's not inconceivable that fish would spawn out there as well. We do have good clumps of

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 distributions looking at, you know, our  
2 radio telemetry data, and we did  
3 subsequently go and try to sample the  
4 substrate presence of eggs, and that was --  
5 there was a lot of difficulty with that.  
6 But we did document at least one other  
7 spawning area.

8 MR. LOHSE: What kind of areas do  
9 they spawn in?

10 MR. SPANGLER: Generally  
11 speaking, they're run-type habitats, usually  
12 near cut back, approximately three to maybe  
13 ten feet deep in pea-size gravel.  
14 Oftentimes even in the lower river you'll  
15 see -- there were several cases where we  
16 also will pinpoint fish locations within  
17 probably five to ten meters. As the water  
18 dropped, we noticed that the gravel patches  
19 that occur on the sandy bars, that's where  
20 we have the fish located with radio  
21 telemetry. In a lot of areas we weren't  
22 able to determine through presence of eggs  
23 that that -- that was actually occurring  
24 there.

25 MR. LOHSE: But so your feeling  
is that they actually spawn in the current,  
in gravel, not up in the side sloughs or --  
sloughs or this more siltier sand?

MR. SPANGLER: That would be my  
opinion. There is some evidence suggested  
in other studies that in Canada and the  
Lower 48 found them spawning in similar  
substrate types.

MR. LOHSE: I was just wondering  
how that compared with the hooligan on the  
Copper River -- I mean the hooligan that  
you're talking about go about  
four-and-a-half miles up and the hooligan in  
the Copper were going 20 miles.

MR. SPANGLER: In the Susitna  
even farther.

MR. LOHSE: Or farther. I was  
thinking that because they go all the way up

1 to mile 52.

2 MR. SPANGLER: You get up in the  
3 Twentymile River, the substrate velocity is  
4 different.

5 MR. LOHSE: Maybe they didn't go  
6 that far.

7 MR. SPANGLER: They did cover  
8 that nine kilometers in 18 hours.

9 MR. LOHSE: Interesting. Any  
10 other questions for him?

11 MS. SWAN: You did say that the  
12 season, they were there for two months? The  
13 hooligan were there -- the season lasted for  
14 two months?

15 MR. SPANGLER: That's correct.  
16 Twentymile is a little different situation  
17 than the Copper River. The Copper they seem  
18 to come up in a large pulse, very high  
19 density of fish, but in Twentymile they kind  
20 of trickle in it seems over a larger period  
21 of time, dip netting you'll get ten fish at  
22 a time in one net. That's really good.

23 MS. SWAN: Not like getting  
24 pulled in by your net.  
25 I guess I never thought of it. I  
didn't ever hear that that lasted that long.

MR. SPANGLER: Last year we  
thought we had two different runs because  
there was a spike in our run timing  
separated by about a month, but this year it  
appears to be pretty uniform kind of  
climbing up towards mid-June, so....

MR. LOHSE: I think you'll find  
if you check Gulkana or the Copper that the  
run lasts every bit that long or longer  
judging by the fresh hooligan that are taken  
in the mouth of the Copper for the length of  
the time that they're taken. I would  
imagine that you'd find the run lasts from  
somewhere at the end of February to the end  
of July. It's a long run, but I think

1 you're right, there's a peak and everything  
2 on it, but it's extended over a real  
3 extended time period.

4 MR. SPANGLER: This year we'll  
5 also be able to determine the level of  
6 harvest we're getting, also of primary  
7 interest to us is what proportion of those  
8 people who are harvesting are rural  
9 residents and how many are Anchorage  
10 residents. We originally wanted to do that  
11 objective a lot earlier but the statewide  
12 assessment was not completed at this time,  
13 and we wanted to make sure our data  
14 collection was consistent with that report.

15 MR. LOHSE: Thank you.  
16 Any other questions?

17

18 MS. SWAN: No.

19

20 MR. SPANGLER: Thank you.

21

22 MR. BURCHAM: Mr. Chairman,  
23 Council, my name is Milo Burcham. Thanks  
24 for having me up here. This serves as  
25 mostly an introduction also, I'm new here  
and don't have a lot of involvement in the  
whole program yet. Anyway, I thought I  
would just quickly tell you what we have for  
subsistence wildlife issues on the Cordova  
issue at the Forest Service there. There's  
only limited hunting -- subsistence hunting  
opportunities in the district right now.  
We -- for over ten years have had a small  
subsistence goat harvest. It's a portion of  
the total harvest in conjunction with the  
State hunt on goats. In conjunction with  
that, I've helped with goat surveys this  
past late summer and fall. Those hunts take  
place around Prince William Sound, basically  
in Unit 6D.

26 For moose, the subsistence moose  
27 hunting opportunities are very few. We have  
28 a cow hunt of five permits that just started  
29 last year before that, the state managed the  
30 moose hunt, and right now we're just  
31 starting getting into managing this cow  
32 moose hunt. And in conjunction with that,  
33 I've turned in -- our district has turned

1 in, along with the Fish & Game and Cordova  
2 have turned in a proposal that you'll see  
3 sometime this period, and that proposal was  
4 to change the subsistence season dates to  
5 match the State dates that have been in  
6 effect for ten or more years.

7 And thirdly, we have a deer  
8 population throughout Prince William Sound.  
9 Currently, deer numbers -- I should say, the  
10 State harvest on deer is more liberal than  
11 the subsistence level, and so there's no  
12 special subsistence deer season right now,  
13 and I've helped the State in the spring with  
14 deer pellet surveys, just to gauge  
15 population trends out there. And that's  
16 what we have going on for subsistence  
17 wildlife in the district right now.

18 Thank you.

19

20 MR. LOHSE: Any questions?

21

22 Fred?

23 MR. ELVSASS: Excuse me. How are  
24 the deer populations? Everything else is  
25 crashing. How are they holding up?

26 MR. BURCHAM: Right now -- I  
27 don't have the results. Dave Crawley with  
28 Fish & Game compiled results of the surveys  
29 but seasons are liberal. State is allowing  
30 five deer per year, and there is not any  
31 change in that right now. And I think the  
32 subsistence level has been determined to be  
33 four deer; and so, anyway, the State season  
34 dropped below that. Subsistence would still  
35 be allowed to take four. Overall numbers  
36 appear to be very good. Like I say, I'm  
37 brand-new to here. I moved here in May.  
38 Old data I'm not really familiar with yet.  
39 I want to say '98, '99, there was a  
40 relatively hard winter. Maybe, Ralph, you  
41 could help me out. I think material numbers  
42 dropped a little bit then, and I think  
43 they're rebuilding now.

44

45 MR. LOHSE: They had a really  
46 good winter last winter and all of the  
47 people that went out and looked this spring  
48 saw lots of fawns. There was even a lot of  
49 does and fawns, there was a real big

1 recruitment this year.

2 So, it wasn't many threes, but  
3 there were a lot of twins.

4 We had -- they had an easy winter  
5 last year.

6 Any other questions?

7 MR. BURCHAM: Thank you.

8 MR. LOHSE: You have an  
9 interesting area to work. That subsistence  
10 moose season, one thing for the rest -- the  
11 fact that you align the season with the  
12 State season really doesn't amount to much  
13 down there because it's all drawing anyhow,  
14 isn't it?

15 MR. BURCHAM: Yes.

16 MR. LOHSE: Even the subsistence  
17 moose are drawing --

18 MR. BURCHAM: 500 applicants for  
19 five cow moose permits.

20 MR. LOHSE: You have more than 30  
21 days to also get your moose, don't you?

22 MR. BURCHAM: The subsistence  
23 regulations allow from August 15th to  
24 December 31st. The State season we're  
25 proposing to go along with, starts September  
1st and goes through October 31st. Two  
months.

MR. ELVSASS: Mr. Chairman, what  
is the rationale for that? Just to make the  
season the same?

MR. BURCHAM: To make the season  
the same, to lessen confusion for hunters  
who have lived there for many years that  
have always had the moose season on  
September 1st to October 31st, basically.  
And the subsistence hunt only started last  
year. Before that, the State managed the  
hunt, and it's also, you know, an artificial  
moose population. There was no moose there  
before 19 -- well, they were introduced --  
'59, does that sound right?

1

MR. ELVSASS: Something like  
2 that.

2

But it just seems to me that if  
3 there's five moose for subsistence, why  
would you want a closure?

4

MR. BURCHAM: That might be the  
5 case, but --

6

MR. ELVSASS: Thank you.

7

MR. BURCHAM: You're welcome.

8

MR. LOHSE: Okay.

I think that brings our agency  
9 reports to an end.

9

The next thing we have is  
10 election of officers and then new business.  
We have one person that's asked to testify  
11 under new business. And we need to  
establish a time and a place for the next  
12 meeting. Those are the three things that  
are left on the agenda.

10

11

12

13

So, at this point in time, I need  
to step down because you need to elect a  
14 chairman. And we can either turn it over to  
Fred or Ann, whichever one of you wishes to  
15 do it.

14

15

I'm handing the gavel over to  
16 Fred.

16

17

MR. ELVSASS: Okay.

18

MS. WILKINSON: First thing we  
need then -- oh, yes, turn the mic on.

19

First thing we need, then, is for  
the chairmanship we need a nomination for  
20 Chair.

20

Do we have a nomination? Let's  
21 not all speak up at once.

21

22

MS. SWAN: Mr. Chairman, I  
nominate Ralph.

23

MR. JOHN: Temporary Chair, I'd  
24 like to make a motion that we retain all the  
three officers -- who's Vice Chair?

25

MR. ELVSASS: Fred, you know, I

1 know what you mean, but in turn under the  
2 rules we have to elect the chair and then he  
handles the other seats.

You see what I mean?

3

4 MR. JOHN: But we did this  
before.

5 MR. ELVSASS: As Vice-chair, you  
put me beyond my scope.

6 I get to do it one time, and  
7 that's to get the chairmanship elected and  
then I'm done.

8 Ralph has been nominated.  
Nominations don't need a second.

9 Do we have any other nominations?

10 MR. JOHN: I move to make a  
motion we close the nominations.

11 MR. EWAN: I'll second.

12 MR. JOHN: And have unanimous  
consent.

13

14 MR. ELVSASS: Been moved to close  
nominations and have unanimous consent for  
Ralph.

15 Any objections?

16 MR. LOHSE: Just me, can I  
object?

17

18 MR. ELVSASS: No, you can't  
object. We won't allow that.

19 So, hearing no objections, Ralph,  
you are the Chairman. Thank you.

20 MR. LOHSE: As the Chair, I'll  
accept your motion for the other positions,  
21 Fred, if you wish to still make the motion  
to retain the other positions.

22

23 MR. JOHN: I make a motion that  
we retain the secretary and the vice chair.

24 MS. SWAN: Mr. Chairman, I'm  
not -- this is my last -- when I go home,  
25 I'm not on this Council anymore, so I can't  
be the secretary.

1  
2 MR. JOHN: We know that, but you  
3 can be secretary until you get your  
4 replacement. And then when -- then the  
5 person, we can vote --

6 MS. SWAN: Okay. All right.

7 MR. LOHSE: Do I hear a second  
8 for the motion?

9 MR. EWAN: I'll second it.

10 MR. LOHSE: It's been seconded to  
11 retain the officers as they are.  
12 Question is in order.

13 MR. JOHN: Question.

14 MR. LOHSE: Question has been  
15 called. All in favor, signify by saying  
16 "aye."

17 COUNCIL MEMBERS: Aye.

18 MR. LOHSE: All opposed signify  
19 by saying "nay."  
20 Motion carries.  
21 So, we have the same as last  
22 time.  
23 Now, we have two people that are  
24 evidently leaving. Roy says this is his  
25 last meeting and Clare says this is her last  
meeting.

MR. ELVSASS: Really?  
You're still here for a while,  
aren't you, Fred?

MR. JOHN: I'll be here as long  
as you're here.

MR. LOHSE: We're getting out at  
the same time. I think --  
Fred?

MR. ELVSASS: I wonder what my  
term is.  
Could you tell me what -- when  
I'm up?

1  
2 MS. WILKINSON: It's in the very  
3 front of the book, and your term expires in  
4 '02, fall season of '02 will be your last  
5 meeting.

6 MR. ELVSASS: Oh, okay.

7 MR. LOHSE: Fred, I'd like to say  
8 that that will not be your last meeting.  
9 That's for this term -- that's when this  
10 term gets up.

11 Anyhow, with that, I would like  
12 to thank Roy and Clare, and I think as  
13 Council we need to give them our thanks for  
14 their participation. I know Roy started at  
15 the same time that Fred and I did a long  
16 time ago, seems like ages. And said the  
17 same thing pretty much ever since he's been  
18 on it, that subsistence comes first, and I  
19 appreciate working with him. It's been busy  
20 for the last couple of years, but one of the  
21 reasons he's still here is because we valued  
22 his opinion when he did get here.

23 MR. EWAN: I do want to say  
24 something before the meeting is over.

25 MR. LOHSE: Clare, it's been  
enjoyable working with you.

MS. SWAN: Thank you.

MR. LOHSE: And I hope that -- I  
hope it hasn't been too bad working with us.

MS. SWAN: Oh, no. I just don't  
have the time, but I'm not out of this.  
I'll -- I'll probably be out there the next  
meeting yelling at you.

(Laughter.)

MR. LOHSE: In that case, maybe  
we better re-elect you.

Roy, you said -- Fred, do you  
have your light on?

MR. JOHN: No.

1           MR. LOHSE: You had something you  
2 wanted to say?

3           MR. EWAN: I did want to say that  
4 I thoroughly enjoyed working with you,  
5 Ralph, and other members that were here for  
6 quite a while. Like Fred, I guess, you came  
7 on the second three-year term, I think?

8           MR. JOHN: Uh-huh.

9           MR. EWAN: I didn't serve with  
10 Fred or Clare very long, but I really  
11 enjoyed working with the Council. All the  
12 Council members that I did work with in the  
13 past, I think they were well qualified,  
14 represented their villages, communities real  
15 well.

16           I was here at the very beginning,  
17 I think it was a very critical time, in my  
18 opinion, because I come from a small  
19 community, originally, grew up in the Copper  
20 River area. We really lived a subsistence  
21 lifestyle when I was a child. That's how my  
22 parents lived, and that's how everybody in  
23 the Copper River lived when I was a little  
24 boy.

25           I thought I brought some valuable  
information because I grew up in the Copper  
River area and lived the subsistence  
lifestyle pretty much all my life even  
though I had to work, like everybody else  
has to do nowadays because regulations came  
about, laws changed. We didn't have any  
laws when I was a little child. I mean, my  
father could go out and hunt anything he  
wanted to, fish anytime he wanted to. There  
were no laws back then.

          Things have changed over the  
years. So we had to go find a job. When I  
grew up, I had to go to work. You can't  
survive otherwise.

          But I didn't like to lose my idea  
of losing my lifestyle. I grew up with  
caribou meat, moose meat, and the salmon  
along the Copper River, and I'd like to see  
our people continue to be allowed to do  
that. It's a way of life for us.

          I also enjoyed working with the  
different staff members over the years.

1 They have changed many times. Some of the  
2 people that were here at the very beginning  
3 are no longer here, either retired or moved  
4 on to a different agency job, or  
5 transferred. I really appreciated a lot of  
6 those people that helped us when we needed  
7 help in trying to understand our role as an  
8 Advisory Council member.

9 I know at the very beginning we  
10 were all interested in why are we here, we  
11 didn't know. I mean, what are we allowed to  
12 do? What can we do. We had all kinds of  
13 questions, do this, do that. It took a  
14 little while to learn, but I really thought  
15 the people that were there to help us, the  
16 agency people were very helpful. The  
17 coordinator that worked with us was very  
18 helpful over the years.

19 Like I say, I think that the  
20 beginning of the Council work was very  
21 important. I think we kind of laid the  
22 groundwork and it probably lasted to this  
23 point, and I'm still very proud of how this  
24 Council conducts business and carries out  
25 the role that we have to carry out.

I really am very proud of the  
Council members.

I'm going to be gone because my  
term is up, and I think that I've served  
long enough. I've served for many years.

In the last couple of years, I had other  
work that didn't allow me to make it to the  
meetings, and that is why I missed so many  
meetings. I don't have that kind of work  
any longer, and that's why I'm here today.

I also want to say that I fully  
support some kind of a stipend for Council  
members. I think we discussed that in the  
past. There's a lot of sacrifice on many  
individuals statewide, sacrificing of time,  
money, and then, you know, to live. It  
costs money just to live, and you're here  
all day long. A lot of people work, take  
time off from work. If you had a private  
business like I had, you had to take some  
time off from your private business.

Lucky, part of the time that I  
served I was working for a Native  
Corporation that allowed me to come here and  
they paid my way. They didn't pay my way,

1 but allowed me to be here, and paid my  
2 fee -- not fee, but my salary during that  
time.

3 I think it's very important that  
4 the Council members be given some, whatever  
5 you want to call it, honorarium or stipend,  
6 some kind of a money -- I mean -- I'm trying  
7 to think, compensation for their time.  
8 Because your time is valuable. I'm not  
9 saying that their time, because I'm -- I  
10 really truly believe that it's happening. I  
11 see that you're working on that. That's  
12 very good.

13 Also, I'm happy that we do  
14 mention things like the ATV problems in the  
15 rural areas. I know the Mentasta and  
16 Chistochina have brought up problems with  
17 ATVs or off-road vehicles damaging the  
18 terrain, and this becomes a super highway  
19 out there sometimes, a war zone in some  
20 areas, so it's -- I know that in the area  
21 out there just west of the Richardson and I  
22 guess that's north of the Richardson  
23 Highway, that area, Eureka. It's the same  
24 way there. It's really out of control, ATVs  
25 are all over in the woods back in that area  
and it's no longer like it used to be. All  
the areas that the Native people had trails,  
are all -- there's no sign of any trail  
anymore, ATV trails. It's too bad it's that  
way. Too bad we let it go for so long, and  
the public control access with ATVs and so  
forth, to their dollars, I guess, how they  
buy vehicles and how they influence -- it's  
power, in my opinion. That's how it all  
happens. It's too bad that people do go out  
and tear up the land, people that live out  
there have to live with it. It's really a  
sorry state, in my opinion.

1 I already talked about the  
2 predator control, including bears, that we  
3 should not stop talking about. I think that  
4 the Wrangell-St. Elias area where I hunt has  
5 been without moose and caribou for many  
6 years and probably sheep population will be  
7 down for many years. That's too bad, it's  
8 really sorry to me that you allow -- that  
9 there's no animals out there because you  
10 wouldn't control the wolf population.

11 I think if you had good

1 management you'd have healthy population of  
all species. I really, truly believe that.

2 That's about it, Mr. Chairman.  
Like I said, I want to thank everybody that  
3 has assisted me while I served on the  
Council. I know that I've gone to many  
4 agency people and you willingly assisted me,  
you know, to get information, so forth. I'm  
5 real thankful for that.

Thank you, Mr. Chairman.

6

MR. LOHSE: Thank you, Roy.  
7 Hopefully we'll keep working on the same  
kind of things.

8 Clare, did you wish to say  
anything?

9

MS. SWAN: Yes, I want to thank  
10 everybody, the staff members and all the  
agency people that I've been around a long  
11 while and sometimes, you know, we just don't  
agree on everything, but I realize that, I  
12 mean in the back of your mind, one thing we  
all know somewhere along the line we have --  
13 we have to settle this, and that we are all  
working for protection of both people and  
14 the -- and our fish & wildlife. I'm really  
grateful to be -- grateful to be able to do  
15 that, and it's been quite an education for  
me. I think that this is one of the best  
16 ways to find out about your own people who  
live other places in Alaska.

17 So, I'll be around. As I said,  
probably in one of those chairs there, and  
18 so thank you, again.

19

MR. LOHSE: Clare.  
20 I have only got one other  
thing -- two other things under the new  
21 business, and that is we do have a Council  
member, as we ran in the charter who has  
22 been missing meetings for quite a while.  
Was this the fourth one, Ann? This was the  
23 fourth one and we've tried to contact him  
and we've left messages for him and  
24 questioned the rest of the Council as to do  
we want to give him another meeting, or do  
25 we want to ask the Subsistence Board to  
replace him, because it's been -- it's been

1 four meetings now that he's missed. I'd  
like to see his representation. He's from  
2 Prince William Sound. It's a shame that  
he's not here, but I'll leave it up to the  
3 rest of the Council whether we want to take  
action on it or whether we want to replace  
4 our regional advisor or give him one more  
try and see if we can get him to the next  
5 meeting.

Any comment?

6  
MS. SWAN: Mr. Chairman, I think  
7 that it's -- I mean, it's necessary to  
have -- you know, we need to have people who  
8 represent the areas that -- or live in the  
areas they represent, so perhaps if he's  
9 unable to make it, they would have  
another -- give him a chance to have another  
10 candidate to present another candidate. And  
seeing how it's in the rules, it probably  
11 would be good to observe the rule.

Thank you.

12

13 MR. LOHSE: Clare, I think the  
rule says "may"; I have to look at it. I  
14 don't think it says "will." It's not a  
mandatory rule.

15

16 MS. SWAN: Oh. It's one of  
those?

17 MR. LOHSE: Yes.

18 MS. SWAN: All right.

19 MR. LOHSE: It says "may  
recommend that the" -- "may recommend that  
20 the Secretary of Interior or Secretary of  
Agriculture will remove the individual."  
21 It's not a necessity. It's a may.

22 MS. SWAN: I don't know how else  
it's going to work. I would recommend to  
23 recommend.

24 MR. LOHSE: Do I hear a second on  
that?

25

MR. ELVSASS: What was the

1 motion?

2 MS. SWAN: I didn't make a  
3 motion. I just recommended that we observe  
4 the rule. Since that would give them  
5 another chance to have someone else from  
6 that area perhaps.

7 MR. ELVSASS: Well, I'm just  
8 wondering if he's missed two years, what's  
9 the term? Is his term expired?

10 MS. WILKINSON: His term expired  
11 at the end of 2002.

12 MR. ELVSASS: Oh. Four meetings  
13 is two years.

14 MS. WILKINSON: I do have a  
15 comment about the procedure for replacing  
16 him, they would -- you would have to draw  
17 from the pool of applicants, and so whether  
18 they selected a person from that area  
19 depends upon whether there are currently  
20 applicants to recommend. I do believe there  
21 are.

22 MR. LOHSE: Well, if nothing  
23 else -- I don't know, I'd like to recommend  
24 to him that he has two meetings left in his  
25 term. It would be nice like it says right  
26 here to give him the opportunity to resign  
27 if he's not going to attend. And at  
28 resignation, you know, we could ask him for  
29 a written resignation or promise to attend  
30 the meetings.

Ann?

31 MS. WILKINSON: Mr. Chairman,  
32 that would be what I would like to do is to  
33 write him a formal letter suggesting that he  
34 be -- either continue or to resign, but the  
35 Council would like him to be here to  
36 represent his area. If he has difficulties  
37 due to work or something, we certainly  
38 understand that, but we just need to know  
39 what to do. And if -- I could write the  
40 letter for the Council and send it to the  
41 chairman for approval and send it out.

1 MR. LOHSE: I think it could be  
fairly strongly worded too, to the point  
2 that if you have no intention of attending  
the next two meetings, a written resignation  
3 would be appreciated, and that way we give  
him the opportunity to resign, and/or attend  
4 and participate.

5 Does that meet the Councils --  
rest of the Council?

6 MR. ELVSASS: I think that's a  
good idea. I like the idea, but in turn, I  
7 think also we should copy the Village Tribal  
Council -- Corporation.

8 MR. LOHSE: That's a good idea  
9 that would be Tatitlek.

10 MR. ELVSASS: Yeah.

11 MR. LOHSE: That's a very good  
idea.

12 Okay. One more new business and  
then we have a testimony.

13 Other thing of new business is to  
come up with a place and time for our next  
14 meeting.

15 We have a meeting scheduled in --  
that would be our spring meeting in March.  
Do we have any suggestions as to where to  
16 have it? March is a hard time of year for  
outlying places. It will be either March or  
17 February. Do we have a calendar to pick  
from?

18 MS. WILKINSON: It's in the last  
19 tab, Tab F.

20 MR. LOHSE: We have no other  
group on this calendar yet at this point in  
21 time. How about Seward Pen?

22 MS. WILKINSON: Mr. Chairman, the  
North Slope Council has taken February 20th  
23 and 21st; Seward Peninsula, February 26th  
and 27. And Kodiak/Aleutians March 18 and  
24 19.

25 And we share staff -- oh,  
goodness, that would be -- we share a  
wildlife biologist with just about

1 everybody.

2 MS. DEWHURST: Rich is with  
3 Kodiak/Aleutians.

4 MS. WILKINSON: We have a  
5 conflict with Seward Peninsula and  
6 Kodiak/Aleutians.

7 MR. LOHSE: Basically we have the  
8 first and second weeks of March open without  
9 conflicting with anybody right now.

10 The two Freds are going to be  
11 here, and then we'll have new appointees.

12 What would be your preference,  
13 Fred and Fred?  
14 Fred?

15 MR. JOHN: I'll make it.

16 MR. ELVSASS: I would prefer the  
17 first week in March. Second week in March I  
18 have some Tribal agendas.

19 MR. LOHSE: That would be fine  
20 with me.

21 Are we going to need a three-day  
22 meeting for this one, or two?

23 MS. WILKINSON: Mr. Chairman, I'm  
24 not sure what all the agenda items will be  
25 yet, but I would -- I would hate to hazard a  
26 guess. I'm thinking that we'll probably  
27 want to make some more comment about  
28 customary trade, but perhaps not as in  
29 depth, I don't know. And then we'll have  
30 the wildlife proposals, so we haven't  
31 received them.

32 MS. DEWHURST: Ann, we have two.

33 MS. WILKINSON: We still have  
34 about three weeks or so.

35 MR. LOHSE: Is Monday and Tuesday  
easy for the staff or is that hard for the  
staff?

1  
2 MS. WILKINSON: Generally Monday  
requires traveling on Sunday.

3 MR. LOHSE: True. True. That's  
4 right.

5 MR. LOHSE: So, a Tuesday or a  
Wednesday would then give us the opportunity  
6 to go to a Thursday if we needed it.  
Does the 5th and 6th sound okay  
7 to you, Fred?

8 MR. JOHN: Yes.

9 MR. LOHSE: Why don't you put us  
down at this point in time, put 5th and 6th,  
10 so we can travel on Monday, go home on  
Thursday, then.  
11 And at that time of the year,  
probably -- with new members and everything,  
12 probably the easiest place is probably right  
here in Anchorage?

13 MR. JOHN: Yeah.

14 MR. LOHSE: It will only be three  
of us old members.  
15 So, why don't we just make it  
Anchorage on the 5th and 6th? Does that  
16 sound good to you, Fred?

17 MR. ELVSASS: Sounds good to me.  
That took care of that.  
18 Ann?

19 MS. WILKINSON: I do have a  
question if there's a place you prefer to  
20 stay, I'll start making arrangements.

21 MR. LOHSE: This is nice. I'm  
22 not picky.

23 MS. WILKINSON: Well, if you have  
a preference, tell me today before you  
24 leave.

25 MR. LOHSE: Fred?

1

MR. ELVSASS: You know, at our last meeting, we were going to have this meeting at Cantwell, but apparently the housing situation is such that we can't. And I do like the idea of trying to meet in areas where the people are, but recognizing the time of the year is going to be very bad weather, driving, so forth. So, I think an Anchorage meeting is in order, but we should try, again, next fall to get somewhere, Copper Center, Kenai, maybe the Kenai issue will heat up again and we can go down there.

2

(Laughter.)

3

MR. LOHSE: We also have an invitation for next fall if we want to consider it over the course of the winter. I believe Cordova is offering an invitation for the meeting to be in Cordova the following fall. They're one that they put a request in before, and we -- we went to Mentasta instead, so that would be something -- and this year we were going to be -- it was on the table for this year, and we chose Cantwell and we found out we couldn't; so, I know Cordova would like to put a bid in to have it in Cordova next fall if at all possible. I think there's plenty of places to stay there, plenty of places to have a meeting. Half our Forest Service people wouldn't have to go anywhere.

4

But we can't choose that time and place now. I just was going to suggest that you keep it in thought with the idea that we will go someplace other than Anchorage the following fall.

5

Okay. Now, with that that takes care of our business. Now we have -- I'm going to see Delice.

6

MR. ELVSASS: Delice Calcote.

7

MS. CALCOTE: Calcote.

8

MR. LOHSE: You're going to speak to what proposal?

9

MS. CALCOTE: I'm going to talk

1 to you about Cook Inlet as a whole. My name  
is Delice Calcote, D-e-l-i-c-e,  
2 C-a-l-c-o-t-e.

To my relatives, first I am  
3 Aleutic from Afognak Island on my  
grandmother's side; and on my grandfather's  
4 side -- he's from South Naknek and his wife  
was from the Bethel area.

5 I've been residing in the Upper  
Cook Inlet since 1969. Currently, I am  
6 secretary for Chickaloon Village as well as  
the Tribal court clerk. I also am secretary  
7 for Cook Inlet Marine Mammal Council.

As employees of the State of  
8 Alaska or as employees of the Federal  
government, do you all believe that the U.S.  
9 Constitution in the state of Alaska  
Constitution are the law of the land here in  
10 Alaska? The oath of office in Article 12,  
Section 12 are very important to employees  
11 and people who work as employees, and my  
position as a significant stakeholder in  
12 this State of Alaska, as many others that  
are not here and able to speak because they  
13 too have schedules, you know. I speak not  
just for myself, but for others that I have  
14 been asked to speak for as well as my  
Elders, and my brothers and sisters. I'm  
15 also a grandmother. I have three sons.  
Some of you may remember me. I was one of  
16 those that was arrested down there at the  
mouth of the Kenai. I was the one that was  
17 four months' pregnant with my last son at  
that time.

18 You know, what I see what's wrong  
with what's happening out here is that  
19 everybody keeps on forgetting that they  
should be implementing regulations behind  
20 Article 12, Section 12, and now the Governor  
has plans to amend the Constitution, which I  
21 don't stand for, don't agree with, object  
to.

22 Subsistence, or more correctly my  
aboriginal hunting, fishing, and gathering  
23 rights are recognized in the international  
community and by the United States Federal  
24 Government and they make a forte to the  
United Nations and anybody can get onto that  
25 Web site and read what the United States has  
to say about hunting, fishing, and gathering

1 rights, and Alaska is spoken to in there.  
It is in the reports.

2 And Alaska Tribes and our Tribal  
3 governments and our Courts are mentioned in  
there.

4 And I'd like to know, you know,  
5 in that study that we were mentioning this  
6 Department of Fish & Game man, what is the  
7 State doing with that 78 tons in that test  
8 fishery? Who is benefiting from that?

9 And these biologists, they want  
10 to go down and, you know, study by species  
11 and we don't have enough money to go study  
12 the bears and all predators, that's going to  
13 have to be another decision down the line.

14 The Tribes of Cook Inlet, the  
15 people, the First Nations people, we do not  
16 separate the animals from us. We do not  
17 separate the land from us. Cook Inlet  
18 Marine Mammal Council has not only the  
19 beluga that we look at, we've been  
20 developing protection measures, viewing  
21 guidelines, we are looking at all the  
22 species who is eating them, what tests are  
23 going on right now -- one of my chores is to  
24 be collecting studies that the State and the  
25 Federal Governments have done in the rivers  
and the watersheds and the streams and the  
lakes of the Cook Inlet area, and what is  
very evident to me, especially in this book  
right here is that there's some  
inconsistencies when it says that these  
rivers here are noted, and yet on a previous  
page over here, on page 21 that, you know,  
the -- because I do work for Chickaloon and  
this is a land-use issue and a resource  
issue. The Matanuska Valley is mentioned in  
here, and yet I don't see one river in the  
Matanuska Valley that's mentioned over here.

Where is the Knik? Where is Eska  
Creek? Where's all those rivers and creeks  
that have been damaged by mining garbage,  
the railroad, the Army -- there's  
inconsistencies in the reports, and I don't  
know if it's -- is someone trying to ignore  
that everything has to be looked at not just  
certain areas the representations on  
Regional Councils, it's stacked in the Upper  
Cook Inlet with non-Natives with other kind  
of issues. We're outnumbered. It says in

1 here that this is going to be on a  
2 government-to-government basis, where I've  
3 underlined several places in here where it  
4 says it's going to be Native corporations,  
5 and the village corporations, and yet this  
6 is government to government and there is 129  
7 Federally recognized Tribes that also should  
8 be consulted in this and talking to just  
9 RuralCap, AITC, and AFN who took us as  
10 individuals off of their constitution a long  
11 time ago in their by-laws. They represent  
12 only the corporations.

13 We the people do not have a vote  
14 in there, and they do not represent the  
15 Tribes, the 229 Federally recognized Tribes.  
16 They represent village corporations and  
17 regional corporations.

18 We've been witnessing  
19 overhunting, illegal hunting, no respect for  
20 the land, no respect for private land rules.  
21 We get reports from other landowners on the  
22 abuses that are happening, and we document  
23 them and you know that's one of the reasons  
24 why when we went after the Federal grant  
25 that also we were able to use all this kind  
of documentation and the pictures, and that  
Chickaloon Village was able to get a one and  
a half million dollar corporate program is  
because of the damages, the lack of reports,  
and the reporting that has been inconsistent  
in the area are all reasons that, you know,  
the Federal Government has approved these  
requests.

1 You know, we're looking at  
2 populations that are crashing everywhere.  
3 It's not just the fish. It's the moose.  
4 It's the caribou. We have other species  
5 that are in overabundance and that was the  
6 reason why the Council went and closed the  
7 south side of the Matanuska River, where  
8 their lands are. And, you know, we still  
9 have abuses, and I want to thank the State  
10 Troopers for this last weekend. We saw our  
11 first person getting ticketed over there and  
12 how long has ANCSA been in effect, and we  
13 really appreciate, you know, that people are  
14 beginning to take notice and to recognize  
15 that there's an importance of, you know --  
16 the Council is concerned not just for their  
17 own lands, but for the population of the

1 species everywhere.

2 There are five BLM trails that go  
3 through Chickaloon Village lands or the  
4 corporation lands, yet BLM, the Federal  
5 Government and the State government whenever  
6 we call them or even the city police when  
7 we've called them about abuses, animals left  
8 there, you know, everyone just claims, Oh, I  
9 don't have time, I don't have money. You  
10 better call so-and-so"; and after two weeks,  
11 you know, there's still nobody there to come  
12 and -- you know, evidence by that time we've  
13 taken care of. Because we do not want bear  
14 baiting. We don't allow bear baiting, so we  
15 can't -- as good land managers, we can't  
16 continue to just let animals sit there and  
17 rot while everybody decides they're not  
18 going to show up.

19 The Exxon Valdez oil spill  
20 continues to impact areas that subsistence  
21 resources are collected. The material,  
22 moose and caribou studies need to reflect  
23 the oil spill damages that have been  
24 occurring during the last 10, 12, 13 years.  
25 Our fishers and hunters have reported  
strange and damaged organs and I just want  
to encourage that those kinds of studies are  
being conducted. Silence is consent and the  
Tribes have not consented. They're not  
consulted -- I mean, meaningfully consulted,  
not going through corporate entities, but  
actually sitting down and speaking with the  
Tribes. Chickaloon Village is the largest  
private landowner in Matanuska Valley, and  
yet the disrespect is evidence evident.

The reporting and testing and the  
monitoring needs to continue along with the  
Tribal governments who are also looking at  
and studying the damages to our subsistence  
animals and their habitats.

You know, the solution needs to  
happen. You know, we read about racism and  
apartheid and, you know, I believe that  
those -- all of those things are evident  
here in Alaska regarding -- you know, it was  
the First Nations peoples who had the right  
of subsistence and for everybody to hop  
along on the wagon when everybody else has  
been outnumbering us, damages traditional  
trails that have been used for our

1 subsistence uses, for our bartering and  
trading, you know, those things are damaged.

2 And to see the disappearing  
3 populations is -- is very sad, and I -- you  
4 know, my goal in continuing to work both as  
5 an employee and also as a volunteer is to  
6 continue to work for our hunting, fishing,  
7 and gathering rights; and I encourage all  
8 the Tribes to realize that the international  
9 community is watching, and this is -- this  
10 is very significant what is taking place.

11 I do not believe that a  
12 Constitutional Amendment is going to -- is  
13 going to effect any changes when the State  
14 and the Federal government have not worked  
15 together to implement Article 12, Section 12  
16 where our land and our fishing -- that is a  
17 disclaimer clause that was -- that's been  
18 recognized internationally, and for them not  
19 to have been implementing regulations, but  
20 for everybody to spin their wheels in all  
21 these other directions and not have  
22 meaningful contact when we have how many  
23 executive orders? How many people have  
24 budgets that allow this and supporting their  
25 own families where all families continue to  
do without, we continue to see the social  
effects of this, the health effects of this  
and the need for the Tribes to bind together  
and assert all of their jurisdiction, all of  
their interest national human rights that  
have been talked about since before the  
1900s.

And for this to have to continue  
to be evidence -- evident in 2001 does not  
show good faith and credibility.

And I just want everybody to work  
together, have respect for one another, and  
that our concern is for the land and the  
people because we're all being affected by  
this. The non-Natives as our neighbors, but  
they have to realize that, you know, they've  
damaged, they've allowed multitudes of  
damage from the military, the corporations,  
the mining activities, and even the  
commercial people, commercial fishermen,  
people are not without fault in this.

I thank you for this venue and  
for listening to me, and I just -- from the  
Tribes' point of view, we are watching, and

1 we are working on an international level for  
2 protection of our human rights that have  
3 been recognized for hundreds and hundreds of  
4 years.

5 Thank you.

6 MR. LOHSE: Thank you, Delice.  
7 The only comment I can make is  
8 the people that you see up here are not  
9 government employees. We do not work for  
10 the State; we do not work for the Federal  
11 Government.

12 MS. CALCOTE: You are  
13 intermediaries, are you not? Is that what I  
14 read in the purpose for this?

15 MR. LOHSE: Right.

16 MS. CALCOTE: Thank you.

17 MR. LOHSE: With that, if there  
18 is no further business that anybody has a  
19 Council member --  
20 Fred?

21 MR. ELVSASS: What about the  
22 Denali sonar issue, didn't they want some --  
23

24 MR. LOHSE: Yes, they wanted some  
25 direction. That was under new business.  
26 Let's go back. We can go back under new  
27 business, and they wanted some  
28 recommendations on our part on the proposal  
29 in the Denali zone.

30 MR. JOHN: I thought we had -- we  
31 put it in our position -- I thought we  
32 already did that a long time ago.

33 MR. ELVSASS: No, that was my  
34 understanding we deferred it to new  
35 business.

36 MR. LOHSE: Yeah, we did. We  
37 deferred it to new business.

38 MR. ELVSASS: Basically, what  
39 they want is to concur and support their

1 request.

2 MR. LOHSE: Or comment on it.

3 MR. ELVSASS: Or comment on it.  
4 That's what I think we should do  
5 at this point.

6 MR. LOHSE: That was the position  
7 by the Denali SRC to require a three-year  
8 residency period in Cantwell in order to  
9 be -- have resident zone status for hunting  
10 in Denali Park preserve.

11 Any comments on it?  
12 Fred?

13 MR. ELVSASS: I have a couple of  
14 things. Firstly, I support the idea. I  
15 like the idea. I think we should concur  
16 with their thoughts, but also in the area  
17 of -- was its the Wrangell-St. Elias zone,  
18 they were talking about a one-year  
19 residency, and I think that, you know, we  
20 should suggest that that be three years. I  
21 have to agree with the Denali people that  
22 one year isn't enough. Somebody comes into  
23 the country; they're there 12 months and  
24 they don't fully understand and appreciate  
25 the country that they're hunting and fishing  
in; and I like the concept of three years,  
and -- so, on the issue before us, I support  
what they're asking for.

MR. LOHSE: Do you wish to make a  
motion in support of it? Or just --

MR. ELVSASS: Mr. Chairman --

MR. LOHSE: Or make a motion to  
recommend it or what would you prefer to do  
on that? Or just have a consensus.

MR. ELVSASS: I believe if it's  
okay by the Council here as consensus we  
write a letter to them stating our support  
and I think that's the best we can do at  
this point. I don't think we should carry  
the ball anyplace or run with it, just  
that's what they were asking for was

1 support.

2 MR. LOHSE: So you're suggesting  
3 that we write a letter to the Denali SRC  
4 supporting their concept of a three-year  
5 waiting period for residency.

6 MR. ELVSASS: Right. Exactly.

7 MR. LOHSE: Fred or Roy, any  
8 comments on that?

9 MR. EWAN: Mr. Chairman, I don't  
10 have any comments, because I really wasn't  
11 at that part of the discussion this morning.

12 MR. LOHSE: Okay.

13 MR. EWAN: But I can say that I  
14 support the idea, you know, if they feel  
15 that people moving to the area should be  
16 there longer before they haul out, I believe  
17 if you can get away with it legally, I would  
18 support it. I know the State residency  
19 requirement was challenged for one thing or  
20 another. It went to court, I don't know if  
21 something like this will happen here.

22 MR. LOHSE: It sounds like the  
23 Park Service could implement those kind of  
24 regulations in the park.

25 Fred, were you going to say  
something?

MR. JOHN: I'll just say I'll  
support that. I think it's good.

MR. LOHSE: Clare?

MS. SWAN: I support that concept  
too.

MR. LOHSE: I support the  
concept. I don't know if I'd pick any  
particular length of time, but I do see  
where the problem is that was brought to us

1 from both Wrangell-St. Elias and Denali that  
2 basically somebody can move there the day  
3 before hunting season, declare that their  
4 intention is to live there for permanent,  
5 and they can undecide at the end of hunting  
6 season and leave. And that doesn't -- I  
7 don't think that that meets the intention of  
8 the law to allow subsistence hunting in the  
9 park. I think the intention was to provide  
10 rural residents with the opportunity to hunt  
11 in the park, and in my way of thinking,  
12 residents are somebody that live there.

13 So, I think we could do that. We  
14 could do what Fred says and just write a  
15 letter to the Denali SRC and state our  
16 concurrence with their idea that a residency  
17 requirement is a good idea. And we can even  
18 go so far as to support their wish for three  
19 years in Cantwell, because they're only  
20 asking for Cantwell, they're not asking for  
21 every place, their reasoning behind their  
22 three-year residency requirement for  
23 Cantwell. And we can go from there.

24 And, Ann, I think you can just --  
25 we have to write that and I have to sign it,  
right, or --

MS. WILKINSON: I don't have to  
write it, but I certainly will draft a copy  
and send it to you for your approval. I've  
done that before.

MR. LOHSE: All right. Thank  
you.

Okay. Was there any other new  
business that I have forgotten?

Seeing -- oops, Ida has got a  
piece of new business.

MS. HILDEBRAND: Not new  
business, Mr. Chairman.

Thank you, Mr. Chairman. Ida  
Hildebrand, BIA staff committee member. I  
thought you might go off record before I had  
a chance to -- the Council in general, in  
particular for the Council, especially for  
Clare, especially for the conditions on the  
Kenai, I can appreciate what it is -- and to  
Roy, I'm going to start crying, on behalf of  
the Federal program, we just couldn't let

1 you go without saying thank you for an  
2 exceptional job, and personally to know what  
3 it's like that's a true subsistence liver to  
4 be on the Council is really meaningful to  
5 any Council. I appreciate the insights and  
6 the statements you made all the years, not  
7 to take away from all the rest of you. You  
8 all contribute the rest -- truly. Roy is  
9 leaving. I have to say these things, it's  
10 more than meaningful to have someone to --  
11 who has lived it. And to be such a  
12 gentleman in the process. I have never been  
13 that balanced in my -- I tend to get angry.  
14 And you have been such a gentleman, and I  
15 thank you. I want to thank you.

16 (Applause.)

17

18 MR. LOHSE: Hollis, has got his  
19 hand up.

20 MR. TWITCHELL: Hello. I would  
21 like to lend my thanks and congratulations  
22 to this whole Council, and particularly to  
23 you, Roy, for all the years you've been  
24 here, guiding us, giving recommendations and  
25 thoughtful input. You're clear role as  
26 Chair when you were chairing this Council.  
27 To all of us from the agency standpoint,  
28 your knowledge, leadership and help was  
29 extremely beneficial, and we thank you  
30 greatly. As I look across the room behind  
31 me, there's only three people that I  
32 recognize from the early days that were here  
33 at the beginning of these Councils, and for  
34 all the other staff that's worked with you,  
35 thank you very much. Clare, thank you for  
36 your time. I wish that you had the  
37 opportunity to serve another term, that  
38 would have been wonderful, but I understand  
39 your personal needs as well.

40 I know from Denali and from an  
41 agency's perspective, I always look forward,  
42 particularly to this Council. I think  
43 particularly in those early years with the  
44 range of very difficult issues that came  
45 before this particular Council you were  
46 extremely balanced and extremely thoughtful  
47 in deliberations and discussions of all the

1 issues that come before you.  
2 I deal with three Regional  
3 Councils, and I've always been honored to be  
4 in attendance of your meetings and listen to  
5 your guidance and recommendations.

6 Thank you very much.

7 MR. LOHSE: With that, I don't  
8 see any other hands up. A motion to adjourn  
9 is in order.

10 MR. EWAN: I make a motion to  
11 adjourn.

12 MR. LOHSE: Roy makes a motion to  
13 adjourn.

14 MS. SWAN: Second.

15 MR. LOHSE: Seconded by Clare.  
16 Meeting adjourned.

17 (Southcentral Subsistence  
18 Regional Advisory council adjourned at 4:25  
19 p.m.)  
20  
21  
22  
23  
24  
25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

I, Sandra M. Mierop, Certified  
Realtime Reporter, do hereby certify that  
the above and foregoing contains a true and  
correct transcription of the Southcentral  
Federal Subsistence Regional Advisory  
Council meeting reported by me on the 3rd  
day of October, 2001.

---

Sandra M. Mierop, CRR, RPR, CSR

